



## **Arlington Conservation Commission**

**Date:** Thursday, November 7, 2019

**Time:** 7:30 PM

**Location:** Town Hall Annex, Second Floor Conference Room

### **Agenda**

1. Administrative
  - a. Review 10/03/2019 meeting minutes
  - b. Review 10/17/2019 meeting minutes
  - c. Discuss the MACC Fall Conference
  - d. Determine which Commissioners would like paper submittals and which Commissioners would like electronic submittals
2. Updates
  - a. Review updates for ongoing projects, including: Spy Pond Erosion Control and Slope Stabilization, Wellington Park, Mystic Restoration Outfall
  - b. Review updates for Committees and Working Groups, including: Water Bodies, Open Space, Reservoir, Spy Pond, CPC, Zoning Bylaw, Public Lands Maintenance, Land Stewards
3. Discussion
  - a. Review and edit the Commission's Floodplain Encroachment Guide
  - b. Discuss and ratify emergency pruning approval for two willow trees at 2 Princeton Road
  - c. Discuss the Commission representative for the Community Preservation Committee
4. Hearings

#### **Novus Agenda Update**

Discuss the Commission's transition to Novus Agenda

#### **Notice of Non-Compliance**

12 Clyde Terrace Notice of Non-Compliance

#### **Request for Determination of Applicability**

68 Margaret Street Request for Determination of Applicability

#### **Request for Determination of Applicability**

1155R Mass Ave Request for Determination of Applicability

#### **Notice of Intent**

1167R Mass Ave Notice of Intent  
Continued from 9/19/2019  
MassDEP File # 091-0314

**Notice of Intent**

1389 Mass Ave Notice of Intent  
MassDEP File # 091-0316

**Working Session**

Arlington High School Rebuild Project Working Session



## Town of Arlington, Massachusetts

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### Review 10/03/2019 meeting minutes

#### Summary:

Review 10/03/2019 meeting minutes

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	DRAFT_10032019_Minutes_Conservation_Commission.pdf	Draft 10/03/2019 Meeting Minutes



## Arlington Conservation Commission

Date: October 3, 2019

Time: 7:30pm

Location: Second floor conference room, Town Hall Annex  
730 Massachusetts Ave, Arlington, MA

### Minutes

Attendance: *Commission Members David White, Nathaniel Stevens, Chuck Tirone, Mike Nonni, Susan Chapnick, Pam Heidell, and Dave Kaplan; Associate Commissioners Cathy Garnett and Mike Gildesgame; and Conservation Agent Emily Sullivan.*

### Discussion on Electing Commission Chair/Vice Chair

The Commission discussed that the Chair and Vice Chair positions. S. Chapnick volunteered to become Commission Chair on January 1, 2020. C. Tirone volunteered to become Commission Vice Chair on January 1, 2020 and stated that he would like to offer his Community Preservation Committee position to another Commissioner. P. Heidell stated that she was interested in becoming the Conservation Commission representative for the Community Preservation Committee, but would like to attend the 10/23/2019 meeting before committing.

N. Stevens asked how long Chair and Vice Chair terms ~~would~~should be. S. Chapnick ~~stated~~suggested that ~~they~~terms would be two years long, with the option to re-elect positions so that the Vice Chair would not be forced into the Chair position. The rRest of the Commission agreed.

N. Stevens stated that he would stay on the Commission as a Commission member when is-someone new ~~became~~becomes Commission Chair on January 1, 2020.

D. White motioned to nominate S. Chapnick as the new Commission Chair starting January 1, 2020, M. Nonni seconded, all were in favor, motion approved.

S. Chapnick motioned to nominate C. Tirone as the new Commission Vice Chair starting January 1, 2020, D. White seconded, all were in favor, motion approved.

### **Cooke's Hollow CPA Preliminary Application**

E. Sullivan called J. Chunglo, Director of Veterans' Services, who was out of town and unable to attend the meeting in person. J. Chunglo summarized the project proposal, which proposes to move the Veteran's Memorial Park, currently in Arlington Center, to Cooke's Hollow and restore the ecological values of the park.

After discussion about pros and cons of the conceptual design of the project as presented at the meeting, for which the Commission was concerned about the design competing with the naturalization of Mill Brook, the Commission agreed to co-sponsor the project so long as the CPA submittal does not include a conceptual project design, that the project team meets with the Commission twice during project development, and that a full public engagement process for the design is conducted.

~~The Commission agreed to co-sponsor the project so long as the project team met with the Commission twice during project development and conducted a full public engagement process for the design.~~

### **Criticism that the Conservation Commission process is onerous for residents**

The Commission discussed recent criticism of the conservation permitting process. The Commission agreed to invite the Director of Planning and Community Development to a future meeting to discuss criticism and how the goals of various boards and departments align.

The Commission also discussed the lack of maintenance performed on conservation lands. The Commission agreed to work with the Park & Recreation Commission and Parks Division of DPW to establish maintenance programs for conservation lands.

### **Alternatives Analysis Language**

The Commission discussed P. Heidell's memo on alternatives analysis language in other municipalities. The Commission also discussed Town Counsel's memo to the Commission regarding alternatives analyses. The Commission agreed that alternatives analysis language should consider the information provided in the recent Massachusetts Association of Conservation Commissions' publication entitled "Wetlands Buffer Zone Guidebook".

P. Heidell volunteered to write a first draft of the revision for the Commission's alternatives analysis requirements. P. Heidell stated that C. Garnett's planned evaluation of prior permits requiring vegetative buffers around Spy Pond would be helpful to this effort.~~P. Heidell stated that C. Garnett's study on buffers around Spy Pond would be help the draft revision.~~

### **Signage for Conservation Areas**

E. Sullivan stated that there were a few locations in which conservation signs could be installed (e.g. no mowing, no feeding animals, etc.). E. Sullivan requested permission to commission these signs. [The Commission gave E. Sullivan the authority to obtain and install signage for Conservation Areas.](#)

### **Notice of Intent: 1167R Massachusetts Ave**

DEP File Number: 091-0314

*Documents Reviewed:*

- 1) *Notice of Intent packet, dated 8/28/2019, revised 9/4/2019*

*Resource Areas:*

- 1) *Mill Brook*
- 2) *100-Foot Wetlands Buffer/Adjacent Upland Resource Area*
- 3) *200-Foot Riverfront Area*

D. White motioned to continue the hearing to the 10/17/2019 meeting, C. Tirone seconded, all were in favor, motion approved.

Meeting adjourned at 9:27pm.



## Town of Arlington, Massachusetts

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### Review 10/17/2019 meeting minutes

#### Summary:

Review 10/17/2019 meeting minutes

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	DRAFT_10172019_Minutes_Conservation_Commission.pdf	Draft 10/17/2019 Meeting Minutes



## Arlington Conservation Commission

Date: October 17, 2019

Time: 7:30pm

Location: Second floor conference room, Town Hall Annex  
730 Massachusetts Ave, Arlington, MA

### Minutes

Attendance: *Commission Members David White, Nathaniel Stevens, Chuck Tirone, Susan Chapnick, Pam Heidell, and Dave Kaplan; Associate Commissioners Cathy Garnett and Mike Gildesgame; and Conservation Agent Emily Sullivan. Also present ~~was were~~ Brad Barber and Dragutin Knezic. Commission Member Mike Nonni was not present.*

### 09/05/2019 Meeting Minutes

The Commission discussed edits to the draft minutes. S. Chapnick motioned to approve the minutes as edited, D. White seconded, all were in favor, motion approved.

### 09/19/2019 Meeting Minutes

The Commission discussed edits to the draft minutes. C. Tirone motioned to approve the minutes as edited, S. Chapnick seconded, all were in favor, motion approved.

### Approve 2020 Commission Meeting Calendar

The Commission reviewed the proposed meeting calendar. D. Kaplan motioned to approve the 2020 meeting calendar, ~~S.~~C. Tirone seconded, all were in favor, motion approved.

### Spy Pond Hatch Invoice #15 (\$6,101.54)

The Commission reviewed the \$6,101.54 invoice. D. Kaplan motioned to approve the invoice, D. White seconded, all were in favor, motion approved.

### 33 Arlmont Street Tree Damage

E. Sullivan stated that a tree from conservation land damaged a private fence during the recent wind storms. The Tree Warden will remove the fallen tree. N. Stevens recommended contacting Town Counsel to determine the claim process through which the property owner could submit a damage claim.

## Mugar Property Update

N. Stevens provided an update regarding the [appeal to the](#) State Housing Appeals Committee [which held a](#) hearing from December 2018. The Housing Appeals Committee ruled that affordable housing does not occupy at least 1.5% of land area in Arlington. [If it did, which means that the Town would be relieved of some of the Chapter 40B permitting procedures. This means that the usual 40B procedure will apply for the proposed development at the Mugar property. The permitting process will](#) ~~ess would~~ be streamlined for possible developers such that the only permitting review required would be through the Zoning Board of Appeals. [P. Heidell and N. Stevens recommended a peer review consultant to help with the ZBA and Conservation Commission on this proposed project moving forward.](#)

## Notice of Intent - 10 Sheraton Park

DEP File Number: 091-0315

*Documents Reviewed:*

- 1) *Notice of Intent package, dated 9/5/2019*
- 2) *10 Sheraton Park Plot Plan, not dated*
- 3) *C. engelmannii 2013 Orthophotograph, prepared by Oxbow Associates*
- 4) *10 Sheraton Park Conservation Plan, prepared by Rober Survey, dated 10/4/2019*
- 5) *Letter from Mass Wildlife NHESP, dated 9/25/2019*

*Resource Areas:*

- 1) *Spy Pond*
- 2) *100-Foot Wetlands Buffer Zone*
- 3) *Adjacent Upland Resource Area*
- 4) *Bordering Vegetated Wetland*
- 5) *Bordering Land Subject to Flooding*
- 6) *1% Annual Chance Flood Hazard Floodplain*

T. Petryshen, [who was calling in from California](#), presented the proposal. The project proposal includes removing a failing bank wall along Spy Pond and replacing it with stabilizing coir fascines. The project also includes vegetating native plantings along the bank. The vegetated mitigation buffer would be approximately 300 square feet, and 4-feet in depth. The project would require the removal of a juniper tree, which would be replaced per the Commission's tree replacement policy and which would also be supplemented with additional native plantings. T. Petryshen agreed to plant two replacement trees (2-3 dbh), rather than the required one replacement tree.

A 48 square foot shed was also proposed as part of this project. The shed is proposed to be located in the 75 to 100-foot section of the AURA. To mitigate for the increase in impervious surface, an [additional](#) 60 square foot vegetated mitigation area is proposed to be planted between the replacement trees and bank.

*Public Comments*

B. Barber stated that although he supported the project, he was concerned that ~~the~~ coir fascine logs were not a lasting solution to the eroding bank. B. Barber noted that the Spy Pond Edge and Erosion Control project also installed coir fascine logs. B. Barber suggested that the Town should decide on the best or most appropriate erosion control intervention for future projects and applications. C. Garnett stated that her buffer research project will provide more information about [best practices for](#) shoreline stabilization. B. Barber also stated that he hoped NHESP would support the project.

[The Commission noted that the Property Deed information was missing from the NOI submittal and needs to be provided.](#)

D. White motioned to close the public hearing, P. Heidell seconded, all were in favor, motion approved.

D. White motioned to approve the ~~proposal-project~~ under the Local Bylaw and State Wetlands Protection Act, C. Tirone seconded, all were in favor, motion approved.

P. Heidell stated that the purpose of this project was shoreline stabilization, which is a mitigation action. Since the project is predominantly a bank mitigation project, P. Heidell cautioned against applying excessive conditions to the project because of the work in the bank area. C. Tirone agreed with P. Heidell's comment.

The Commission deliberated and agreed to apply the following conditions in addition to the Commission's standard conditions to the project's approval Order of Conditions:

1. The Applicant shall replace all removed trees per the Town Wetlands Protection Regulations, Section 24 Vegetation Removal and Replacement. The Applicant shall replace the removed juniper tree with two 2-3 inch dbh trees from the list of recommended trees.
2. All native restoration and mitigation plantings shall be maintained for three years and invasive species removal implemented through this project shall be ongoing for three years. A survival rate of at least 80% must be maintained for the approved restoration and mitigation plantings. A monitoring report shall be submitted annually in November for the three year monitoring period and shall include the number and types of restoration plantings evaluated, condition of the plantings, and status of invasive plant removal. The Applicant must provide a monitoring report by a qualified consultant for survival of all approved plantings. The monitoring report must include measures to remove invasive species if they are discovered.
3. Any project changes recommended by the Mass Wildlife Natural Heritage and Endangered Species Program (NHESP) must be approved ~~through a minor plan amendment and receive approval~~ by the

Conservation Commission. Project changes that require Commission approval include project scope and construction method changes

4. If there are any plan modifications required due to NHESP review, the approximate sizes of the vegetated mitigation areas must remain the same. Therefore, any changes must accommodate a 300 square foot vegetated mitigation buffer along the bank and a 60 square foot vegetated mitigation area between the 75 and 100-foot section of the AURA.

### **Notice of Non-Compliance: 12 Clyde Terrace**

DEP File Number: 091-0274

#### *Documents Reviewed:*

- 1) *Notice of Non-Compliance, dated 9/18/2019*
- 2) *Modification Request Approval for #091-0274, dated 1/8/2019*
- 3) *Plan to Accompany Modification in Arlington, MA #12 Clyde Terrace, dated 10/19/2018, revised 1/4/2019*

#### *Resource Areas:*

- 1) *100-Foot Wetlands Buffer Zone*
- 2) *Adjacent Upland Resource Area*
- 3) *Bordering Vegetated Wetland*

N. Stevens presented the lengthy and sometimes contentious history of the approved project at 12 Clyde Terrace. E. Sullivan reviewed the Notice of Non-Compliance for shed that was observed during a site inspection on 9/4/2019. The shed was not part of the approved modifications to the planting plan, which was approved on 1/8/2019.

C. Tirone asked what the shed's dimensions were. The property owner, <insert name> stated Dragutin Knezic it is 8' x 10'. The property owner stated that the shed was placed where a few trees and bushes died, and that all other vegetation was relocated to the northwest corner of the backyard. S. Chapnick stated that all vegetation that died needs to be replaced, including 2 dead fir trees that were planted as part of the mitigation.

C. Tirone and P. Heidell noted that the shed was in the 0 - 25 foot limit of the AURA, which is not allowed to contain buildings or structures. N. Stevens stated that the 0 - 50 foot limit of the AURA is not allowed to contain buildings or structures per the regulations under which this project was approved.

The Commission discussed the options for the property owner to come into compliance. The Commission agreed that there are two possibilities through which the property owner can achieve compliance: 1) remove the shed, or 2) move the shed further from the resource area so that it is located between the 50 - 100 foot limit of the AURA. The Commission requested a removal or relocation proposal be submitted for the 11/7/2019 meeting.

**Notice of Intent: 1167R Massachusetts Ave**

DEP File Number: 091-0314

*Documents Reviewed:*

- 1) *Notice of Intent packet, dated 8/28/2019, revised 9/4/2019*

*Resource Areas:*

- 1) *Mill Brook*
- 2) *100-Foot Wetlands Buffer/Adjacent Upland Resource Area*
- 3) *200-Foot Riverfront Area*

| At the request of the applicant, S. Chapnick -motioned to continue the hearing to the 11/7/2019 meeting, D. White seconded, all were in favor, motion approved.

Meeting adjourned at 9:45pm.



## **Town of Arlington, Massachusetts**

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### **MACC Fall Conference**

#### **Summary:**

Discuss the MACC Fall Conference



## **Town of Arlington, Massachusetts**

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### **Paper vs. electronic submittals**

#### **Summary:**

Determine which Commissioners would like paper submittals and which Commissioners would like electronic submittals



## **Town of Arlington, Massachusetts**

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### **Project Updates**

#### **Summary:**

Review updates for ongoing projects, including: Spy Pond Erosion Control and Slope Stabilization, Wellington Park, Mystic Restoration Outfall



## **Town of Arlington, Massachusetts**

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### **Committee and Working Group Updates**

#### **Summary:**

Review updates for Committees and Working Groups, including: Water Bodies, Open Space, Reservoir, Spy Pond, CPC, Zoning Bylaw, Public Lands Maintenance, Land Stewards



## Town of Arlington, Massachusetts

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### Floodplain Encroachment Guide

#### Summary:

Review and edit the Commission's Floodplain Encroachment Guide

#### ATTACHMENTS:

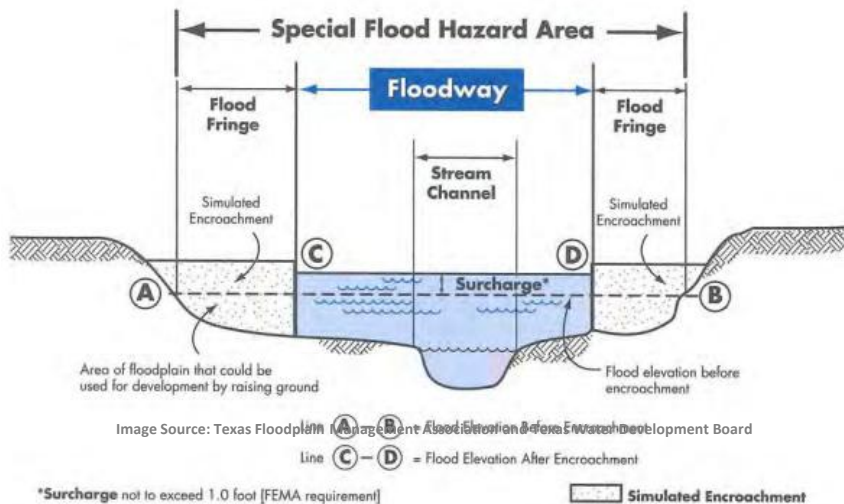
	Type	File Name	Description
▢	Reference Material	Draft_Floodplain_encroachment.pdf	Draft Floodplain Encroachment Guide

# What is floodplain encroachment?

A Guide to Projects in Special Flood Hazard Areas

# DRAFT

## THE FLOODPLAIN



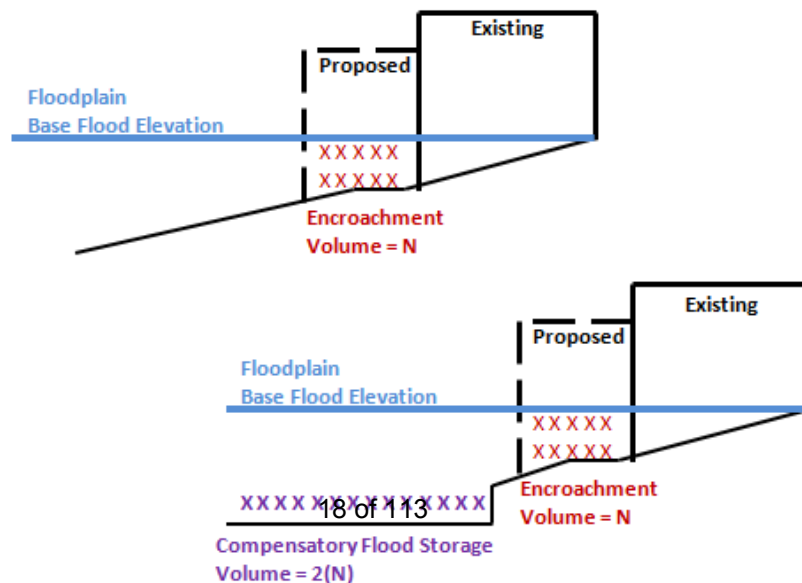
A floodplain is an area that experiences surface flooding during storms. Floodplains often border streams or ponds but can also be isolated depressions susceptible to flooding. Floodplains are delineated by the Federal Emergency Management Agency (FEMA).

Floodplains are determined using Base Flood Elevations (BFEs). The base flood is the national standard used by the National Flood Insurance Program (NFIP) and all Federal agencies for the purposes of requiring the purchase of flood insurance and regulating new development. BFEs are typically shown on Flood Insurance Rate Maps (FIRMs).

## ENCROACHMENT AND COMPENSATORY STORAGE

Encroachments are activities or construction within the floodplain including fill, new construction, substantial improvements, and other development. Common encroachments in Arlington include additions, walls, and decks or porches.

If a project proposes encroachment into the floodplain, then the project has to compensate for the encroachment by building compensatory flood storage onsite. In Arlington, compensatory flood storage must be built at a ratio of 2:1 of the encroachment. For example, if a project encroaches 1 cubic foot into the floodplain, the project must build 2 cubic feet of compensatory flood storage. Compensatory flood storage can be built through re-grading the project site or other methods.





## Town of Arlington, Massachusetts

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### 2 Princeton Road Emergency Tree Pruning

#### Summary:

Discuss and ratify emergency pruning approval for two willow trees at 2 Princeton Road

#### ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	2_Princeton_Rd_Emergency_Tree_Pruning_Approval.pdf	2 Princeton Road Emergency Tree Pruning Approval



TOWN OF ARLINGTON  
MASSACHUSETTS  
CONSERVATION COMMISSION

November 1, 2019

Mr. Dave Kopans  
2 Princeton Road  
Arlington MA, 02474

**RE: 2 Princeton Road, Arlington - Emergency Tree Pruning Approval due to Imminent Risk to Public Health and Safety**

Dear Mr. Kopans,

Thank you for reaching out to the Conservation Commission regarding the two hazardous willow trees on your property. The hazardous trees are located along the bank of Spy Pond, meaning they are within the jurisdiction of the Arlington Conservation Commission.

On November 1, 2019 the Arlington Tree Warden and Conservation Agent inspected the two willow trees. During the inspection, the Tree Warden confirmed that the two trees are hazardous. In discussion with the Tree Warden, the Conservation Agent approved pruning of top deadwood and hazardous branches. The trees, pictured below, will not be removed, but pruned. The pruning of both trees is more than the allowable 20% pruning of a canopy, and therefore considered extensive under the local Arlington Regulations for Wetlands Protection. However, due to the imminent risk to public health and safety the Conservation Agent certified and approved the necessary pruning to mitigate the hazardous condition.

The Conservation Agent will present this emergency pruning approval during the Commission's November 7, 2019 meeting and request ratification. The Conservation Commission has the authority to require in-kind replacement to the extent practicable as determined by the Commission (Arlington Regulations for Wetlands Protection, Section 24 - Vegetation Removal and Replacement). The Conservation Agent will follow-up with you after the November 7, 2019 meeting to organize appropriate next steps as defined by the Commission.

Please find a summary of the approved pruning below, with pictures for guidance.

**Tree A**

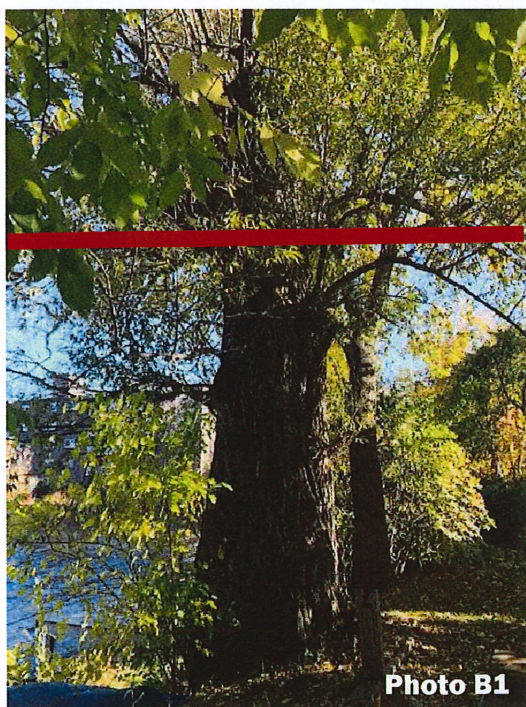
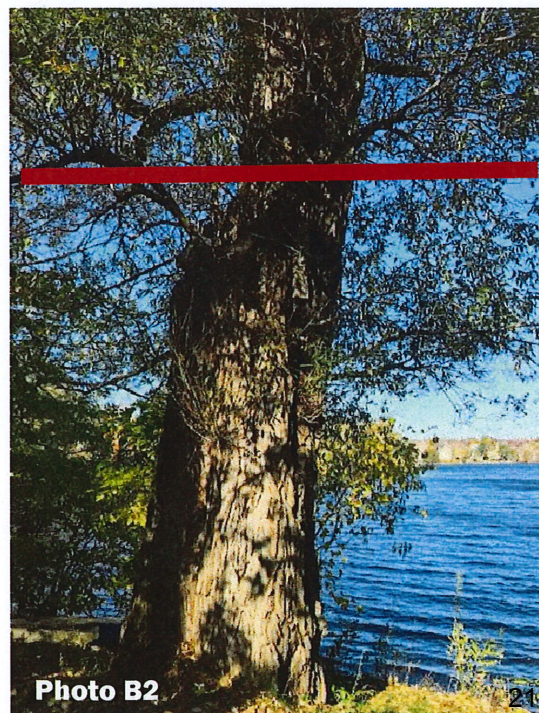
Tree A is the westerly tree located along the bank of Spy Pond. Tree A is hollow with fruiting structures (fungi) growing along the trunk, an indication of decaying wood.

**Photo A1****Photo A2**

Approved pruning includes removing the top deadwood, but leaving lower branches untouched. Approximately 10-feet of trunk and accompanying branches shall remain. Please see the red line above noting the approximate amount of approved pruning. Please note that the pictures were taken from different angles, and therefore the line of pruning appears lowering in Photo A1 than Photo A2, but in reality the lines are at the same level. The pruning line shall be just under the last fruiting structure on the trunk.

**Tree B**

Tree B is the easterly tree located along the bank of Spy Pond. Tree B is hollow with no fruiting structures (fungi) growing along the trunk.

**Photo B1****Photo B2**

Approved pruning includes removing the top deadwood, but leaving lower branches untouched. Approximately 15-feet of trunk and accompanying branches shall remain. Please see the red line above noting the approximate amount of approved pruning. Please note that the pictures were taken from different angles, and therefore the line of pruning appears lowering in Photo B1 than Photo B2, but in reality the lines are at the same level. The pruning line shall be just above the wooden swing bracket adhered to the trunk.

Please let me know if you have any questions on this matter.

Sincerely,



Emily Sullivan  
Environmental Planner & Conservation Agent  
Town of Arlington  
esullivan@town.arlington.ma.us  
(781) 316-3012



## **Town of Arlington, Massachusetts**

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### **Commission representative for the Community Preservation Committee**

#### **Summary:**

Discuss the Commission representative for the Community Preservation Committee



## **Town of Arlington, Massachusetts**

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### **Novus Agenda Update**

#### **Summary:**

Discuss the Commission's transition to Novus Agenda



## Town of Arlington, Massachusetts

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### Notice of Non-Compliance

#### Summary:

12 Clyde Terrace Notice of Non-Compliance

#### ATTACHMENTS:

	Type	File Name	Description
▢	Notice of Non-Compliance	Notice_of_Noncompliance__Shed_12Clyde_Terrace.pdf	Notice of Non-Compliance 12 Clyde Terrace
▢	Notice of Non-Compliance	12-Clyde-Modification_-_Shed_placement_2019-10-21.pdf	Proposed relocation of non-compliant shed



**TOWN OF ARLINGTON**

730 Massachusetts Ave.  
Arlington, MA 02476  
781-316-3012

**ARLINGTON CONSERVATION COMMISSION**

**NOTICE OF NON-COMPLIANCE**

September 18, 2019

Dragutin Knezic  
12 Clyde Terrace  
Arlington, MA 02474

RE: 12 Clyde Terrace, DEP File # 091-0274

Mr. Knezic

During a site visit on September 4, 2019, the Conservation Agent noted that an approximately 8'x10' shed had been installed in your backyard, within the 25-foot Wetlands Buffer. This shed is not in compliance with the Order of Conditions for 12 Clyde Terrace, which did not approve the installation of a shed. Therefore, you are in non-compliance with the State Wetlands Protection Act and regulations and the Town of Arlington Wetlands Protections Bylaw and Commission's Wetland Regulations.

The Conservation Agent spoke to you during the September 4, 2019 site visit about why the shed is in non-compliance. As such, this letter is the first step in resolving the non-compliance with the Conservation Commission. The Commission requests that you:

1. Appear at the Conservation Commission's meeting on Thursday, October 3, 2019 at 7:45 pm to discuss the above-described non-compliance. Please bring with you any photos, plans, or other documents that you think would be helpful for the discussion. The Commission's meeting will be held in the Second Floor Conference Room of the Town Hall Annex, 730 Massachusetts Avenue.

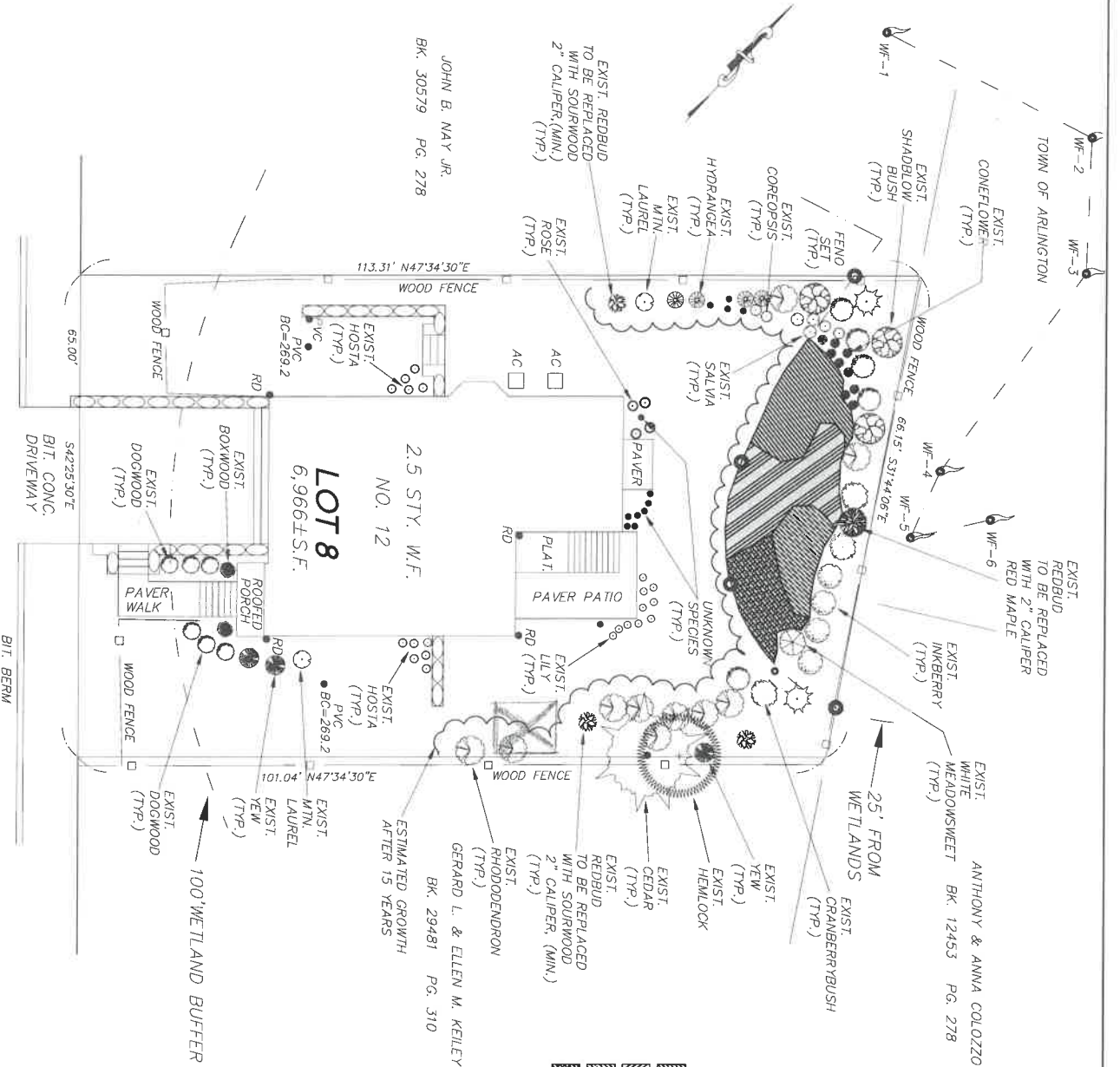
Please call our office at 781-316-3012 or email [esullivan@town.arlington.ma.us](mailto:esullivan@town.arlington.ma.us) with any questions.

Sincerely,

Emily Sullivan  
Environmental Planner & Conservation Agent  
Town of Arlington  
[esullivan@town.arlington.ma.us](mailto:esullivan@town.arlington.ma.us)  
(781) 316-3012

Cc: file

# CLYDE TERRACE



## BUFFER ZONE ENHANCEMENT AREA:

### SUPPLEMENTAL SPECIES LIST:

- (50) - 2" PLUG CUT-LEAFED CONEFLOWER *RUDEBECKIA LACINATA*
- (50) - 2" PLUG WILD BLUE LUPINE *LUPINUS PERENNIS*
- (50) - 2" PLUG BLUE FLAG IRIS *IRIS VERSICOLOR*
- (50) - 2" PLUG WHITE WOOD ASTER *ASTER DIVERGICATUS*

## PLAN TO ACCOMPANY A MODIFICATION REQUEST IN ARLINGTON, MA

SCALE: 1" = 10'  
#12 CLYDE TERRACE  
DATE: OCTOBER 19, 2018  
REVISED: JANUARY 4, 2019





## Town of Arlington, Massachusetts

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### Request for Determination of Applicability

#### Summary:

68 Margaret Street Request for Determination of Applicability

#### ATTACHMENTS:

Type	File Name	Description
Request for Determination of Applicability	68_Margaret_wpaform1_FINAL_RDA.pdf	68 Margaret Street RDA
Request for Determination of Applicability	68_Margaret_Plans_and_Reference_FINAL_RDA.pdf	68 Margaret Street Plans and Maps
Request for Determination of Applicability	68_Margaret_St_Addendum_to_wpa_form1.pdf	68 Margaret Street RDA Addendum



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

City/Town \_\_\_\_\_

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Joshua and Josiane Goldschlag

josh@goldschlag.com

Name

E-Mail Address

68 Margaret Street

Mailing Address

Arlington

MA

02474

City/Town

State

Zip Code

401-864-4692

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Faith Baum Architects

Firm

Faith Baum

faithbaum@rcn.com

Contact Name

E-Mail Address

33 Hancock Street

Mailing Address

Lexington

MA

02420

City/Town

State

Zip Code

781-674-9344

Phone Number

Fax Number (if applicable)

**B. Determinations**

1. I request the Conservation Commission make the following determination(s). Check any that apply:  
Conservation Commission

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Arlington

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

City/Town \_\_\_\_\_

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

68-70 Margaret Street

Street Address

Arlington, MA

City/Town

13-1-17

Assessors Map/Plat Number

59

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

68-70 Margaret Street is a 5,456 SF lot. The site is flat, primarily grass, with a paved driveway at the front/side and trees at the rear. The existing structure is a two-family building, constructed in 1927. The building has wood shingle siding and an asphalt shingle roof. The lot borders the Minuteman Bikeway at the rear side. The lot falls entirely within Fema Special Flood Hazard Area/Flood Zone AE. Plans, maps and existing photos of the property are included in this submittal.

- c. Plan and/or Map Reference(s):

1: Proposed Plot Plan and Floodplain Location Map

10/16/19

Date

2: Topographic Plan

Title

10/16/19

Date

3: Floodplain Map

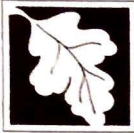
Title

10/16/19

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

This lot is located within the floodplain. We are proposing that the existing wood framed, asphalt shingle gable roof with a small cross gable will be demolished and a new wood framed, asphalt shingle gable roof with two dormers and a small cross gable will be constructed to provide an additional half story of living space on the 3<sup>rd</sup> level. Areas of the existing second level will be renovated and all existing wood siding will be removed and replaced with polymer shingle siding. The proposed porch and front alterations noted on the Plot Plan are not included in this RDA submission. The proposed construction will not increase the house's footprint and will not add any impervious surface to the property. The project does not include any re-grading or filling. The proposed project considers climate change resiliency because it will not alter the site's existing conditions, it will not change the property's flood storage capacity and it will not increase impervious surfaces on the site. During construction, erosion control measures (including a silt sack and silt fence) will be installed along the property boundaries to ensure that no construction materials or sediment enter neighboring properties or other environmental resource areas. The project also improves the energy efficiency of the building by providing new R49 roof insulation throughout, new R20 wall insulation, and new windows and doors at areas of new construction and renovation. The heating/cooling system will be upgraded in the area of renovation and new construction (Apartment 68).



## WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

The proposed work includes adding a half story to the existing footprint. Since this project will not change the existing structure in the floodplain, it is exempt from having to file a Notice of Intent.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

n/a



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

City/Town \_\_\_\_\_

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Joshua and Josiane Goldschlag

Name

68 Margaret Street

Mailing Address

Arlington

City/Town

MA

State

02474

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

  
Signature of Applicant



10/22/19

Date

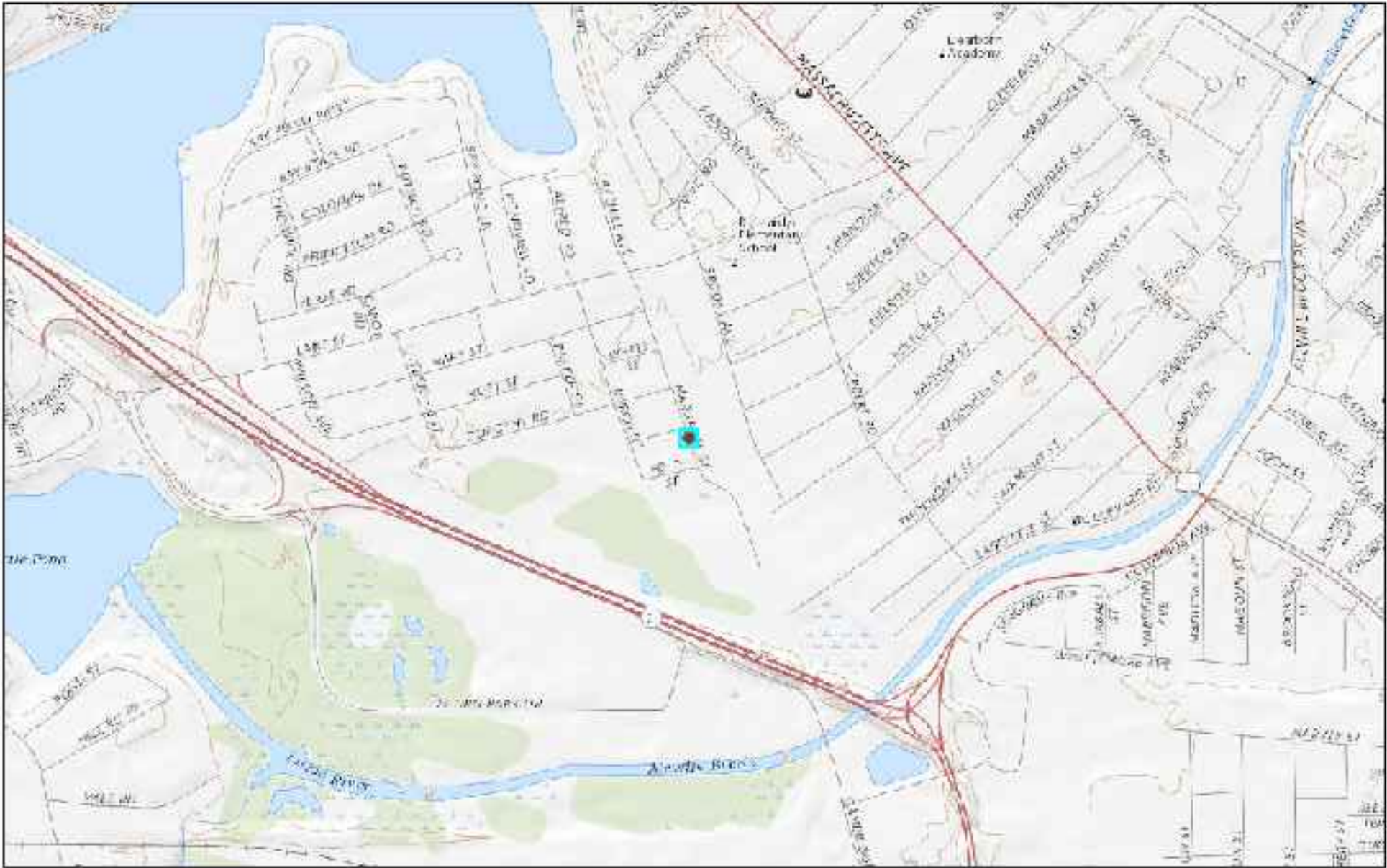
  
Signature of Representative (if any)

Oct. 22, 2019

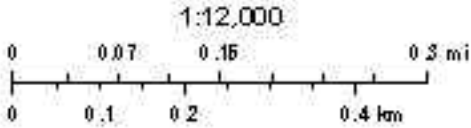
Date



The National Map Advanced Viewer



10/15/2019, 10:38:19 AM



USGS The National Map, National Boundaries Dataset, 3DEP Elevation

USGS

USGS The National Map, National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset, USGS Global

GOLDSHLAG RESIDENCE  
68-70 MARGARET STREET  
ARLINGTON, MA 02474

FAITH BAUM  
ARCHITECTS  
33 Hancock Street  
Lexington, MA  
02420  
781-674-9344  
faithbaum@rcn.com

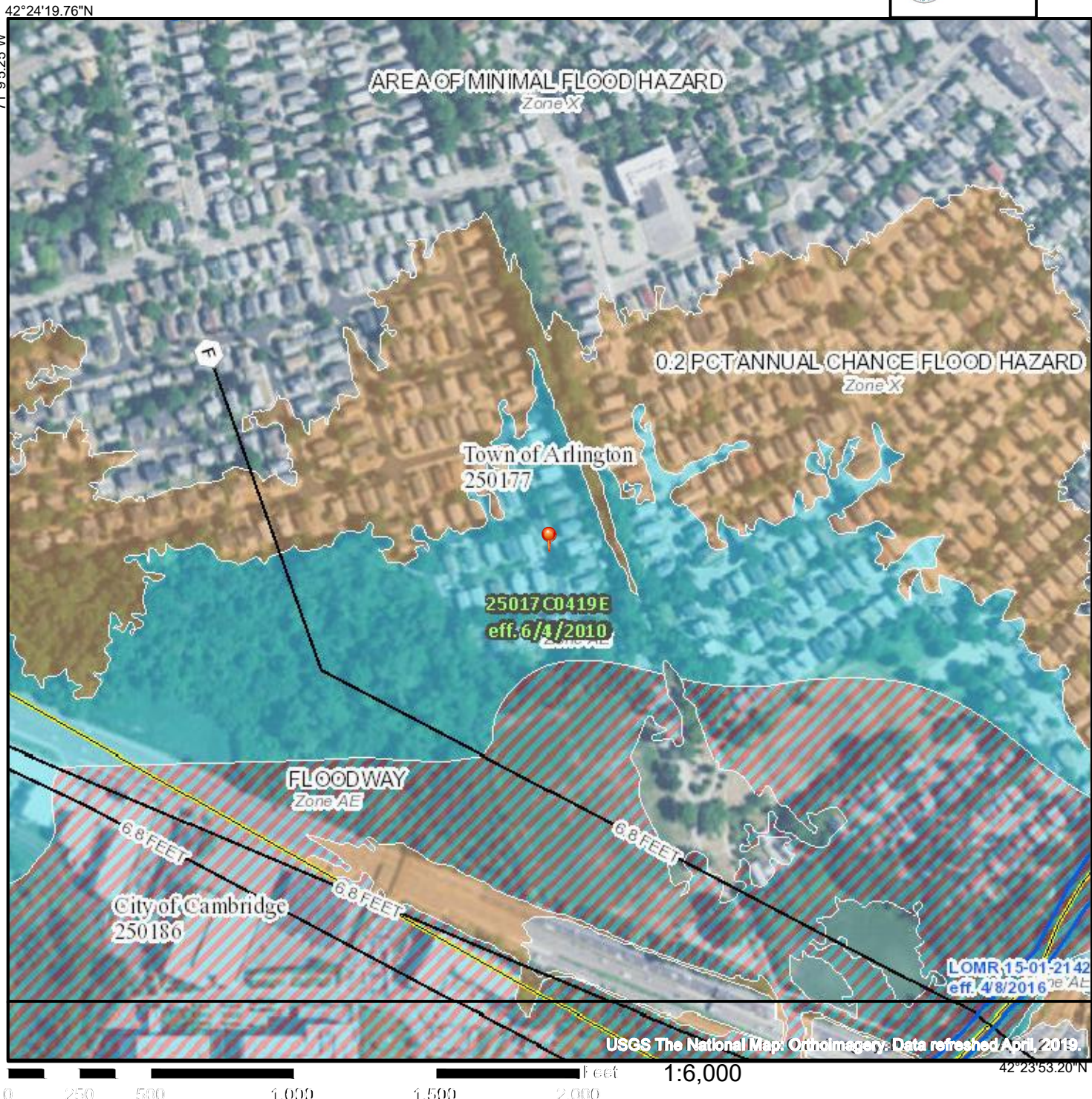
CONSERVATION  
COMMISSION  
REVIEW

DATE:  
10.17.19

SCALE:  
AS NOTED

TOPOGRAPHIC  
PLAN

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D

OTHER AREAS		Area of Minimal Flood Hazard Zone X Effective LOMRs
		Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER FEATURES		Cross Sections with 1% Annual Chance
		Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/15/2019 at 10:34:58 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

GOLDSHLAG RESIDENCE  
68-70 MARGARET STREET  
ARLINGTON, MA 02474

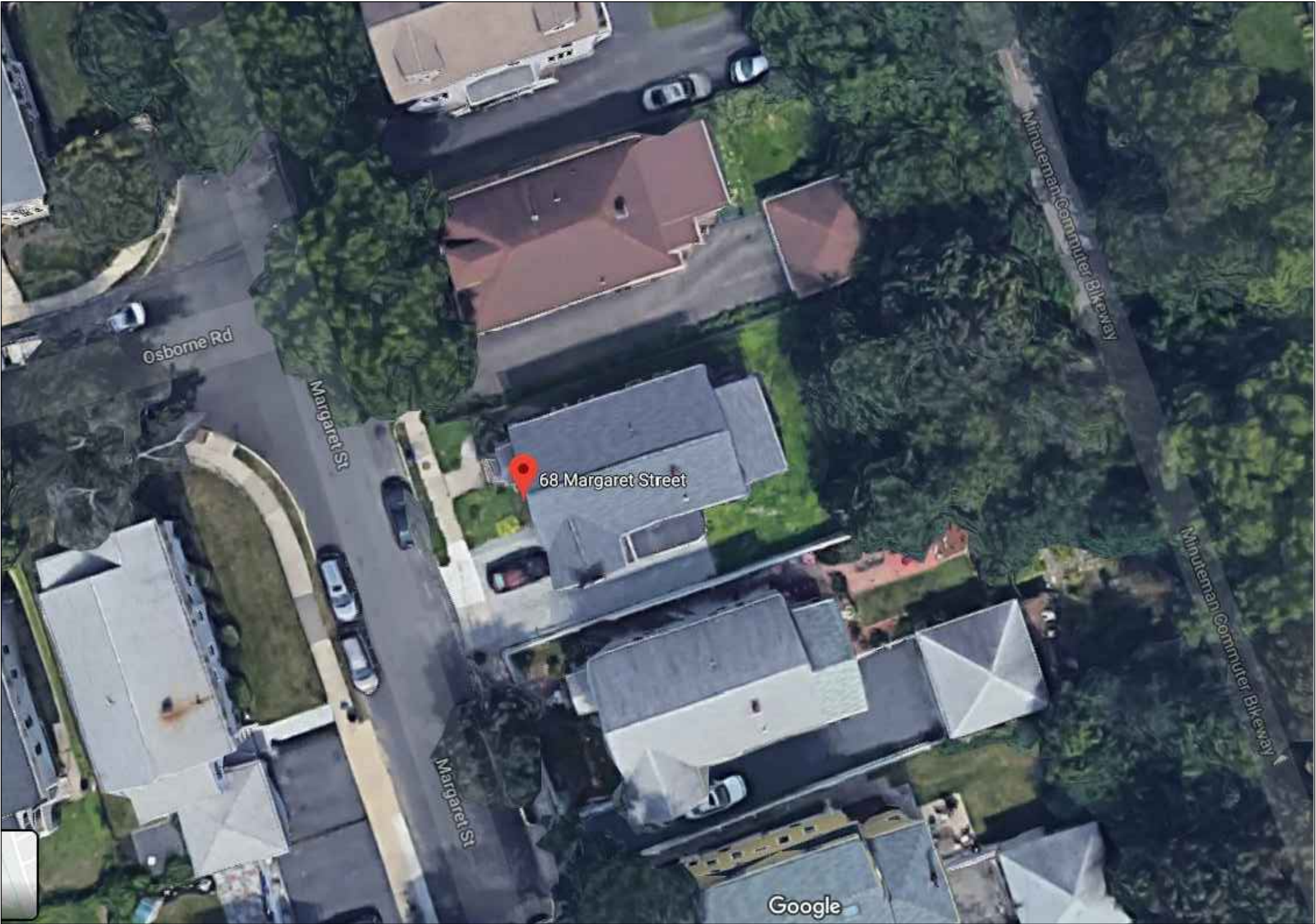
FAITH BAUM  
ARCHITECTS  
33 Hancock Street  
Lexington, MA  
02420  
781-674-9344  
faithbaum@rcn.com

CONSERVATION  
COMMISSION  
REVIEW

DATE:  
10.17.19

SCALE:  
AS NOTED

FLOODPLAIN  
MAP



EXISTING SITE PHOTO (NTS)

GOLDSHLAG RESIDENCE  
68-70 MARGARET STREET  
ARLINGTON, MA 02474

FAITH BAUM  
ARCHITECTS  
33 Hancock Street  
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781-674-9344  
faithbaum@rcn.com

CONSERVATION  
COMMISSION  
REVIEW

DATE:  
10.17.19

SCALE:  
AS NOTED

EXISTING  
PHOTOS



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

GOLDSHLAG RESIDENCE  
68-70 MARGARET STREET  
ARLINGTON, MA 02474

FAITH BAUM  
ARCHITECTS  
33 Hancock Street  
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02420  
781-674-9344  
faithbaum@rcn.com

CONSERVATION  
COMMISSION  
REVIEW

DATE:  
10.17.19

SCALE:  
AS NOTED

EXISTING  
PHOTOS

Addendum to **WPA Form 1- Request for Determination of Applicability**

Project Location: 68-70 Margaret Street, Arlington, MA

Applicants: Josiane and Joshua Goldshlag

November 1, 2019

In consideration of Commission concerns about Climate Change resiliency and Stormwater Management please be advised of the following responses:

**Section 31 Climate Change Resiliency**

**1) Describe project design considerations to limit storm and flood damage during extended periods of disruption and flooding as might be expected in extreme weather events.**

The upgraded heating/cooling system as provided within the scope of this project will withstand extended periods of disruption. It has been located at the third-floor level so that it sits above the Base Flood Elevation and above likely floodwaters.

**2) Describe project stormwater surface runoff, which may increase due to storm surges and extreme weather events, and how this will be managed / mitigated to prevent pollution (including nutrients from fertilizers, roadway runoff, etc.) from entering the resource area with consideration of eliminating impervious surfaces as feasible. See Stormwater Management Section 33 of these Regulations.**

The impervious surface area and stormwater roof runoff patterns will not change through this proposed project. It's not reasonable that impervious surface will be reduced as part of this project in that none is being added, but the property owner commits to reducing the use of fertilizer onsite.

**3) Describe project vegetation / planting plans and other measures to improve the resiliency of the wildlife habitat of the resource area to withstand potential temperature and rainfall changes (drought and excess) due to climate change. See Vegetation Removal and Replacement Section 24 of these Regulations.**

No vegetation changes are proposed as part of this project. As per above, the owner commits to not using fertilizer onsite.

**4) Describe measures to protect proposed structures and minimize damage to structures due to the impacts of climate change.**

This projectd proposes to build an addition vertically (raise the roof height) rather than add to the footprint horizontally so as to limit building footprint to what it currently is within the floodplain. Additionally, the project also improves the energy efficiency of the building by providing new R49 roof insulation throughout, new R20 wall insulation, and new windows and doors at areas of new construction and renovation. The siding on the entire building envelope is being replaced and upgraded to more durable materials and watertight installation

**Section 33 Stormwater Management**

- A. Work or activity specified in a request for determination of applicability or an application for a permit and subject to the Bylaw shall meet, at a minimum and to the extent practicable, the best management practices for stormwater management as set forth in the Stormwater Standards of the Massachusetts Department of Environmental Protection. The Commission may in its sole discretion require the applicant to provide a runoff plan and calculations using the "Cornell" method, and based on the ten-year, fifty-year and one-hundred-year-flood frequency event period. Calculations shall show existing and proposed runoff conditions for comparative purposes and include a**

**narrative on the proposed project's impact on climate change resilience of the resource area (see Section 31).**

Since the home footprint and stormwater runoff patterns will not change with this proposed project, a runoff plan and calculations are not reasonable. MassDEP lists several types of stormwater BMPs in its resource guide, "Volume 2 Chapter 2: Structural BMP Specifications for the Massachusetts Stormwater Handbook", including structural pretreatment BMPs, Treatment BMPs, Conveyance BMPs, Infiltration BMPs, Other BMPs, and BMP Accessories. Given the scope of this project, the limiting of fertilizer use onsite is practicable stormwater BMP.

**B. The requirements of this section shall be met commensurate with the nature, scope, type, and cost of the proposed project or activity.**

The proposed BMP outlined above is appropriate given the nature and scope of the proposed project.



Faith Baum

November 1, 2019



## Town of Arlington, Massachusetts

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### Request for Determination of Applicability

#### Summary:

1155R Mass Ave Request for Determination of Applicability

#### ATTACHMENTS:

Type	File Name	Description
▣ Request for Determination of Applicability	1155R_Mass_Avenue_RDA.pdf	1155R Mass Ave RDA
▣ Request for Determination of Applicability	1155R_Mass_Ave_RDA_Plan.pdf	1155R Mass Ave RDA Plan
▣ Request for Determination of Applicability	1155R_Mass_Ave_summary_of_work.pdf	1155R Mass Ave RDA Addendum

# Request for Determination of Applicability

---

1155R Massachusetts Avenue  
Arlington, Massachusetts

October 21, 2019

**Owner/Applicant:**

Yukon Realty LLC  
1155R Massachusetts Avenue  
Arlington, MA 02476

**Prepared By:**

Williams & Sparages, LLC  
189 North Main Street, Suite 101  
Middleton, MA 01949  
Ph: 978-539-8088  
Fax: 978-539-8200  
[www.wsengineers.com](http://www.wsengineers.com)

**W&S Project No:**

ARLI-0019B





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Arlington  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
When filling out  
forms on the  
computer, use  
only the tab key  
to move your  
cursor - do not  
use the return  
key.



1. Applicant:

Yukon Realty LLC

arlingtonautodetailing@gmail.com

Name

E-Mail Address

2 Keane Road

Mailing Address

West Roxbury

MA

02132

City/Town

State

Zip Code

(617) 484-2376

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Williams & Sparages LLC

Firm

Thorsen Akerley

takerley@wsengineers.com

Contact Name

E-Mail Address

189 North Main Street

Mailing Address

Middleton

MA

01949

City/Town

State

Zip Code

(978) 539-8088

Phone Number

(978) 539-8200

Fax Number (if applicable)

**B. Determinations**

1. I request the Arlington make the following determination(s). Check any that apply:  
Conservation Commission

- ☒ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Arlington

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

1155R Massachusetts Avenue

Street Address

Arlington

City/Town

Map 57

Assessors Map/Plat Number

Lot 2, Block 16A

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Please see attached narrative.

- c. Plan and/or Map Reference(s):

Site Plan #1155R Massachusetts Avenue, Arlington, MA 02474

Title

5/20/2019

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Please see attached narrative.



## WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

10.58 (5) states that the approving authority may allow redevelopment within previously developed Riverfront Areas, provided that the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. In the case of this project, the applicant is hoping to expand an existing sewer connection to include a gas trap and sewer drain manhole within the Riverfront Area. The specific area in question appears to be predominantly fill material, and is already disturbed and developed from the construction of the building and installation of the existing sewer line.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☒ Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Arlington  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Steven Porcella

Name

2 Keane Road

Mailing Address

West Roxbury

City/Town

MA

State

02132

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

10/21/19

Date

Signature of Representative (if any)

10/21/19

Date

## Request for Determination of Applicability

---

**1155R Massachusetts Avenue  
Arlington, Massachusetts  
October 21, 2019**

### **Introduction:**

The project locus is known as #1155R Massachusetts Avenue, Assessors Map 57, Lot 2, Block 16A. According to the assessor's field card, the lot is approximately .37 acres in size. The parcel is developed with a 1-story metal commercial building, roadway and parking area. The parcel has frontage off Massachusetts Avenue and is located directly behind Mirak Hyundai.

The parcel sits adjacent to the Mill Brook Conduit, which carries water from the Arlington Reservoir towards the Lower Mystic Lake. The Mill Brook is mapped as a perennial stream by the USGS, therefore a 200' Riverfront Area (RA) exists from the boundary of the conduit.

According to the FEMA Flood Insurance Rate Map, 25017C0416E, with an effective date of June 4, 2010, the property does not lie within a Special Flood Hazard Area.

According to the NRCS Web Soil Survey, soils on the property are mapped as 602, Urban Land.

According to the most recent Natural Heritage and Endangered Species Program, (NHESP), Atlas the parcel is not mapped as Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife by the Division of Fisheries and Wildlife NHESP. In addition the area is not mapped as an Area of Critical Environmental Concern.

### **Project Proposal:**

The owner is proposing to renovate the existing metal building into an auto detailing shop. As part of that process, a floor drain within the building is necessary. Therefore, a gas trap and sewer drain manhole connected to that floor drain are required.

### **Riverfront Area:**

As mentioned above, the proposed work sits directly adjacent to the Mill Brook Conduit, therefore a 200' Riverfront Area exists beyond the boundaries of the retaining walls. In an undeveloped, natural Riverfront area, the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L. c.131 § 40 and that the work, including proposed mitigation, will have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. However, it is our understanding that this project should be exempt from Riverfront Area performance standards due to the proposed project area being previously developed. Furthermore, there will be no adverse impacts to the River itself, or the stability of the retaining walls which surround it.

10.58 (5) states that the approving authority may allow redevelopment within previously developed Riverfront Areas, provided that the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. In the case of this project, the applicant is hoping to expand an existing sewer connection to include a gas trap and sewer drain manhole within the 200' Riverfront Area. The specific area in question appears to be predominantly fill material, and is already disturbed and developed from the construction of the building and installation of the existing sewer line.

10.58 (6)(b) also states that certain minor activities identified in 310 CMR 10.02 (2)(b)1 are grandfathered or exempted from requirements for the Riverfront Area. Specifically, 310 CMR 10.02(2)(b)(i) says that the installation of underground utilities within existing paved or unpaved roadways and private roadways/driveways, provided that all work is conducted within the roadway or driveway and that all trenches are closed at the completion of each workday. The area where work is proposed is comprised of imported gravel and fill, and was used as parking previously. Although it is not necessarily a driveway or roadway by definition, the work is still within previously used parking areas and disturbed Riverfront Area.

#### **Climate Change Resiliency:**

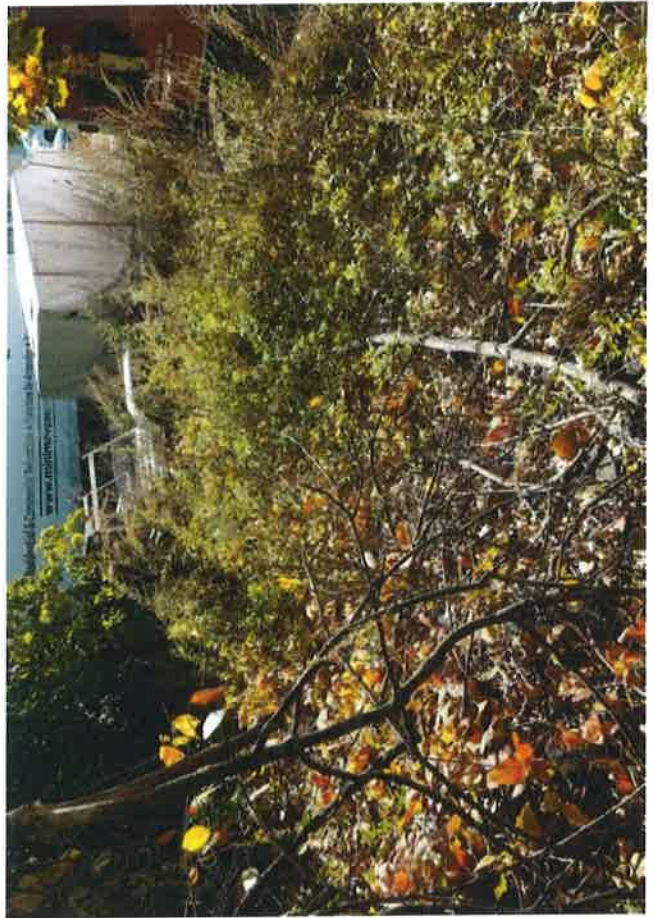
Given the proximity to the Mill Brook, all materials used during construction are resistant to influxes of groundwater and surface water, and are also watertight. There is no proposed increase in impervious surfaces or filling of flood plain proposed, thus we do not anticipate any issues related to stormwater runoff, impacts to the groundwater supply, or displacement of water that would otherwise be confined within the proposed work area.

#### **Erosion Controls:**

Erosion Controls in the form of staked straw wattle will be installed prior to construction and will remain in place until all work on site is stable. The location of the proposed erosion controls are shown on the accompanying plan.





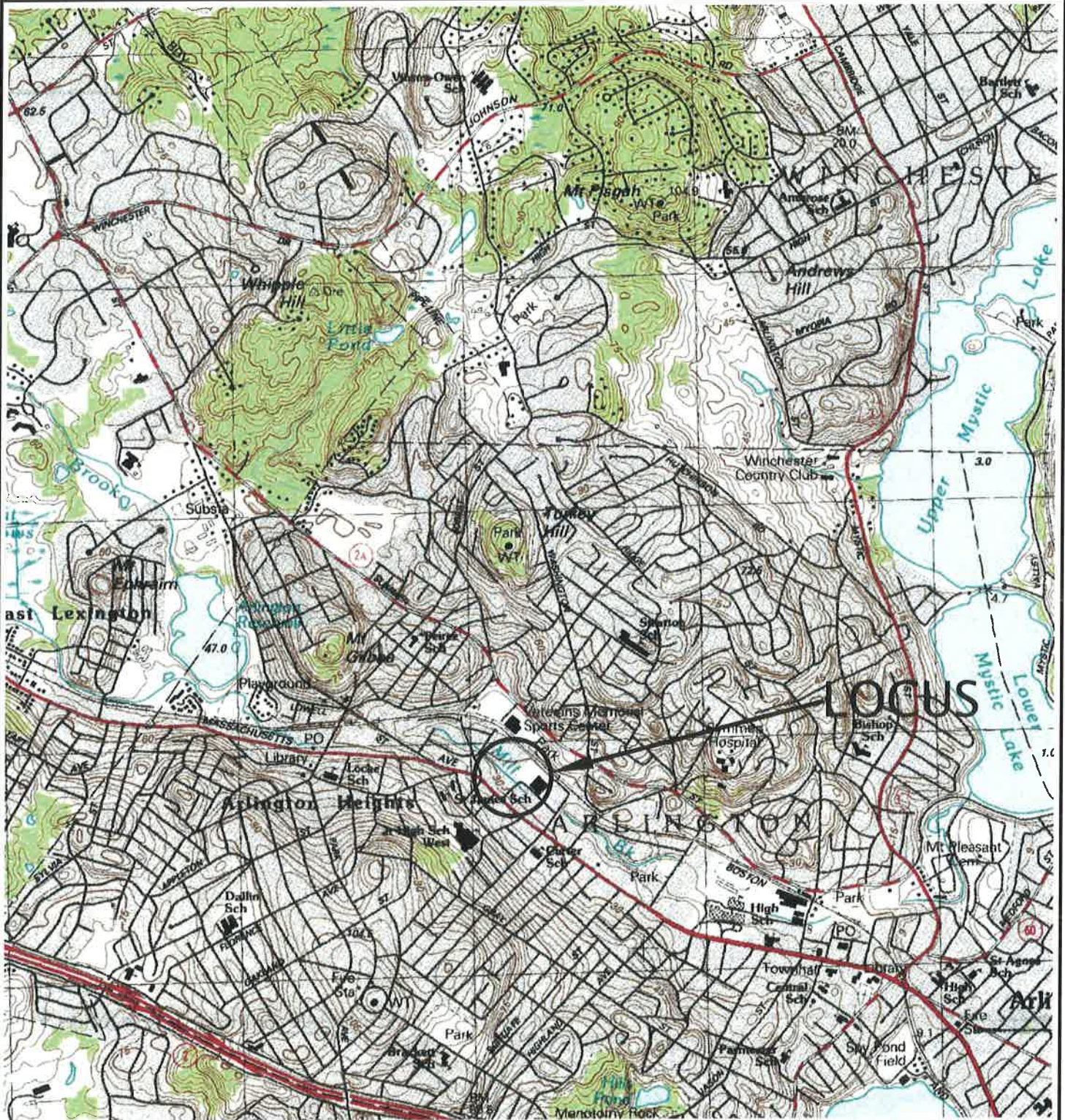




WILLIAMS & SPARAGES  
CIVIL ENGINEERS, PLANNERS &  
LAND SURVEYORS



189 NORTH MAIN STREET  
SUITE 101  
MIDDLETON, MA 01949  
PHONE: (978) 539-8088  
FAX: (978) 539-8200  
www.wsengineers.com



UNITED STATES GEOLOGIC SURVEY MAP  
1985 BOSTON NORTH QUADRANGLE  
SCALE: 1:25,000 (1"=2000')  
CONTOUR INTERVAL=10' (NAVD 88)

**SITE LOCATION MAP**  
1155R MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS





Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE)  
Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee (Zone D)

**OTHER AREAS**

- Area of Minimal Flood Hazard (Zone X)
- Effective LOMRs
- Area of Undetermined Flood Hazard (Zone X)

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

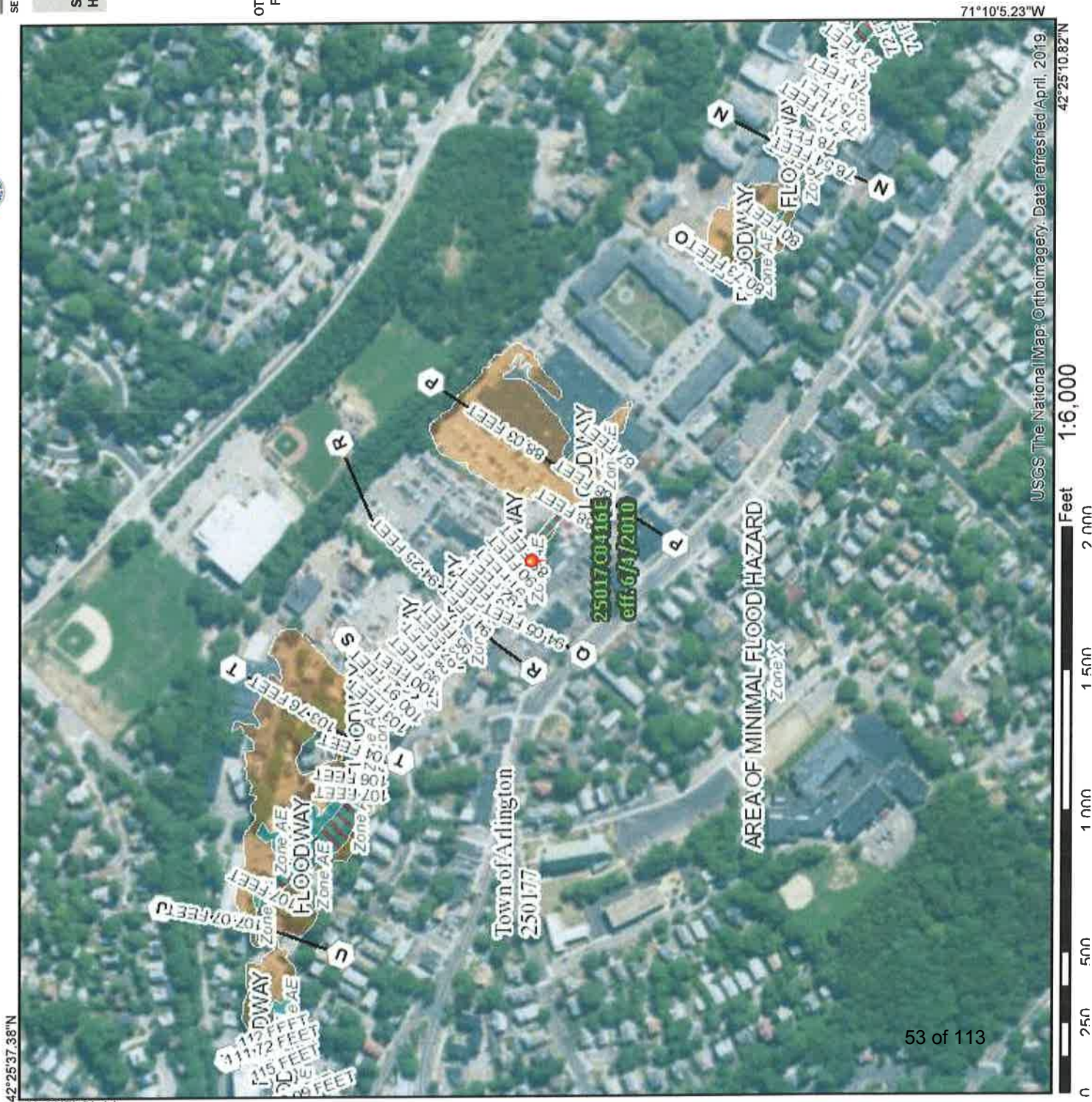
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The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/21/2019 at 10:33:21 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



## AFFIDAVIT OF SERVICE

### Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent or Request for Determination of Applicability)

I, Thorsen Akerley, hereby certify under the pains and penalties of perjury that on October 24, 2019 I gave notification to abutters in compliance with the Arlington Wetlands Protection Bylaw and Regulations, in connection with the following matter:

A Request for Determination of Applicability was filed under Massachusetts Wetlands Protection Act and the Arlington Wetlands Protection Bylaw by Yukon Realty LLC with the Town of Arlington Conservation Commission on October 24, 2019 for property located at 1155R Massachusetts Avenue.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

  
Name

10/24/19  
Date

Notification to Abutters under the  
Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

- A. The name of the applicant is Yukon Realty LLC.
- B. The applicant has filed a Request for Determination of Applicability application with the Conservation Commission for the Town of Arlington, MA seeking permission to conduct activities within jurisdictional areas of the Massachusetts Wetlands Protection Act.
- C. The address of the lots is 1155R Massachusetts Avenue, Arlington, MA 02476.
- D. Copies of the Request for Determination of Applicability, (RDA), may be examined at the offices of Williams & Sparages, between the hours of 8:00am and 4:30pm on the following days of the week: Monday through Friday. For more information, call: (978) 539-8088. This is the applicant's representative.
- E. Copies of the NOI may be obtained from the Arlington Conservation Commission by calling (781) 316-3012 between the hours of 8:00am and 4:00pm on the following days of the week: Monday – Wednesday, between the hours of 8:00am and 7:00pm on Thursday, and between the hours of 8:00am and 12:00pm on Friday.
- F. Information regarding the date, time and place of the public hearing may be obtained from the Arlington Conservation Commission by calling (781) 316-3012 between the hours of 8:00am and 4:00pm on the following days of the week: Monday – Wednesday, between the hours of 8:00am and 7:00pm on Thursday, and between the hours of 8:00am and 12:00pm on Friday.

Note: Notice of the Public Hearing, including its date, time and place will be published at least five (5) days in advance in the local newspaper.

Note: Notice of the Public Hearing, including its date, time and place will be posted in the City or Town Hall not less than forty eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

To contact DEP call:  
Northeast Region: 978-694-3200



Office of the  
Board of Assessors  
Robbins Memorial Town Hall  
Arlington, MA 02476  
(781) 316-3050  
Assessors@town.arlington.ma.us

**Abutters List**

Date: October 16, 2019

Subject Property Address: 1155-R MASS AVE Arlington, MA  
Subject Property ID: 57-2-16.A

Search Distance: 100 Feet- Conservation/NOI

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters and owners of land within 100 feet of the property line, of subject property.

*Karin L. Feeley*  
*Robert E. Greeley*  
*[Signature]*

---

**Board of Assessors**

**Abutters List**

Date: October 16, 2019

Subject Property Address: 1155-R MASS AVE Arlington,  
MA

Subject Property ID: 57-2-16.A

Search Distance: 100 Feet

---

Prop ID: 148-1-13.A

Prop Location: 1166 MASS AVE Arlington, MA

Owner: HOUSING CORP OF ARLINGTON

Co-Owner:

Mailing Address:

252 MASSACHUSETTS AVE

ARLINGTON, MA 02474

---

Prop ID: 148-1-1.A

Prop Location: 1160 MASS AVE Arlington, MA

Owner: ARLINGTON-GROVE REALTY LLC

Co-Owner:

Mailing Address:

59 UNION SQ

SOMERVILLE, MA 02143

---

Prop ID: 56-3-1

Prop Location: 26 HOBBS CT Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 56-3-2

Prop Location: 1125-R MASS AVE Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 57-2-10.B

Prop Location: 1165-1167 MASS AVE Arlington, MA

Owner: ARLINGTON CENTER GARAGE &

Co-Owner: SERVICE CORP

Mailing Address:

438 MASS AVENUE SUITE 127

ARLINGTON, MA 02474

---

Prop ID: 57-2-13

Prop Location: 5 FOREST ST Arlington, MA

Owner: H.A.F. INC.

Co-Owner: ATTN WILLIAM C LOOBY JR

Mailing Address:

7 STRAWBERRY LANE

WOBBURN, MA 01801

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Prop ID: 57-2-15

Prop Location: 0-LOT RYDER ST Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 57-2-15.A

Prop Location: 1171 MASS AVE Arlington, MA

Owner: ANNESE ROBERT J TR J-JUDITH

Co-Owner: 1171 MASS AVE REALTY TRUST

Mailing Address:

2 SHIRE LANE

BEDFORD, MA 01730

---

Prop ID: 57-2-15.B

Prop Location: 1173 MASS AVE Arlington, MA

Owner: HOUSING CORPORATION OF

Co-Owner: ARLINGTON

Mailing Address:

252 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 57-2-16

Prop Location: 1165 MASS AVE Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 57-2-16.A

Prop Location: 1155-R MASS AVE Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 57-2-16.B

Prop Location: 1151-R MASS AVE Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

---

Prop ID: 57-2-17

Prop Location: 0-LOT MASS AVE Arlington, MA

Owner: YUKON REALTY LLC

Co-Owner:

Mailing Address:

1125 MASS AVE

ARLINGTON, MA 02476

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---

Prop ID: 57-2-19  
Prop Location: 0-LOT QUINN RD Arlington, MA  
Owner: YUKON REALTY LLC  
Co-Owner:  
Mailing Address:  
1125 MASS AVE  
ARLINGTON, MA 02476

---

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Prop ID: 57.B-1-1  
Prop Location: 9 RYDER ST UNIT 1 Arlington, MA  
Owner: TZOVARAS GREGORIOS  
Co-Owner:  
Mailing Address:  
3 THOMAS STREET  
WOBURN, MA 01801

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Prop ID: 57.B-1-10  
Prop Location: 9 RYDER ST UNIT 10 Arlington, MA  
Owner: HAMPTON SHELDON  
Co-Owner:  
Mailing Address:  
9 RYDER STREET #10  
ARLINGTON, MA 02476

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Prop ID: 57.B-1-11  
Prop Location: 9 RYDER ST UNIT 11 Arlington, MA  
Owner: HAN XIAOGANG  
Co-Owner: DONG JENNIFER  
Mailing Address:  
508 LOWELL ST  
LEXINGTON, MA 02420

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Prop ID: 57.B-1-12  
Prop Location: 9 RYDER ST UNIT 12 Arlington, MA  
Owner: AGUILAR LUZ G  
Co-Owner:  
Mailing Address:  
9 RYDER ST UNIT 12  
ARLINGTON, MA 02476

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Prop ID: 57.B-1-13  
Prop Location: 9 RYDER ST UNIT 13 Arlington, MA  
Owner: WINNIG-GIULIANO MICHAEL R  
Co-Owner:  
Mailing Address:  
10 WOODLAND ST  
NATICK, MA 01760

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Prop ID: 57.B-1-14  
Prop Location: 9 RYDER ST UNIT 14 Arlington, MA  
Owner: GILMARTIN WILLIAM T  
Co-Owner:  
Mailing Address:  
9 RYDER ST #14  
ARLINGTON, MA 02476

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---

Prop ID: 57.B-1-15  
Prop Location: 9 RYDER ST UNIT 15 Arlington, MA  
Owner: RYDER STREET LLC  
Co-Owner:  
Mailing Address:  
46 COLUMBIA RD  
ARLINGTON, MA 02474

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---

Prop ID: 57.B-1-16  
Prop Location: 9 RYDER ST UNIT 16 Arlington, MA  
Owner: JACOB JOAN/TRUSTEE  
Co-Owner: 33 REGENT RD TRUST  
Mailing Address:  
107 CLOCKTOWER DR UNIT 204  
WALTHAM, MA 02452

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---

Prop ID: 57.B-1-17  
Prop Location: 9 RYDER ST UNIT 17 Arlington, MA  
Owner: CHIN YOLANDA & JENNIFER  
Co-Owner:  
Mailing Address:  
17 PIEDMONT ST  
ARLINGTON, MA 02474

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---

Prop ID: 57.B-1-18  
Prop Location: 9 RYDER ST UNIT 18 Arlington, MA  
Owner: FALLAVOLLITA ROBERT P &  
Co-Owner: PETITTO CATERINA & ANGLEA E  
Mailing Address:  
9 RYDER ST #18  
ARLINGTON, MA 02474

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---

Prop ID: 57.B-1-19  
Prop Location: 9 RYDER ST UNIT 19 Arlington, MA  
Owner: BALIJEPALLI SURYA  
Co-Owner:  
Mailing Address:  
568 NORTH RD  
SUDBURY, MA 01776

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Prop ID: 57.B-1-2  
Prop Location: 9 RYDER ST UNIT 2 Arlington, MA  
Owner: CASEY TERESAE C  
Co-Owner:  
Mailing Address:  
15 MARKET STREET  
BILLERICA, MA 01821

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Prop ID: 57.B-1-20  
Prop Location: 9 RYDER ST UNIT 20 Arlington, MA  
Owner: RAFI SHOWKAT A  
Co-Owner:  
Mailing Address:  
PO BOX 1134  
BURLINGTON, MA 01803

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Prop ID: 57.B-1-21  
Prop Location: 9 RYDER ST UNIT 21 Arlington, MA  
Owner: CHIN RUSSELL  
Co-Owner:  
Mailing Address:  
17 PEARL STREET  
LEXINGTON, MA 02420

---

Prop ID: 57.B-1-22  
Prop Location: 9 RYDER ST UNIT 22 Arlington, MA  
Owner: OWEN GERALDINE M ETAL/TRUSTEES  
Co-Owner: EDWARD R OWEN FAMILY TRUST  
Mailing Address:  
9 RYDER ST #22  
ARLINGTON, MA 02476

---

Prop ID: 57.B-1-23  
Prop Location: 9 RYDER ST UNIT 23 Arlington, MA  
Owner: KIM JIN W & SUNGJA Y  
Co-Owner:  
Mailing Address:  
1 BLANCHARD RD  
CAMBRIDGE, MA 02138

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Prop ID: 57.B-1-24  
Prop Location: 9 RYDER ST UNIT 24 Arlington, MA  
Owner: HSU CHIAO MOA  
Co-Owner: SHAI WHE LIEN  
Mailing Address:  
45 PARK ST  
ARLINGTON, MA 02474

---

Prop ID: 57.B-1-3  
Prop Location: 9 RYDER ST UNIT 3 Arlington, MA  
Owner: BUTTERS ARLENE  
Co-Owner:  
Mailing Address:  
9 RYDER STREET--UNIT 3  
ARLINGTON, MA 02476

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Prop ID: 57.B-1-5  
Prop Location: 9 RYDER ST UNIT 5 Arlington, MA  
Owner: DOTALO CAROL A  
Co-Owner:  
Mailing Address:  
9 RYDER STREET #5  
ARLINGTON, MA 02476

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Prop ID: 57.B-1-6  
Prop Location: 9 RYDER ST UNIT 6 Arlington, MA  
Owner: YANG JIQIN/LUO GUOYING  
Co-Owner: TRS/THE YANG AND LUO TRUST  
Mailing Address:  
21 HERITAGE DRIVE  
LEXINGTON, MA 02420

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Prop ID: 57.B-1-7  
Prop Location: 9 RYDER ST UNIT 7 Arlington, MA  
Owner: OLIVER JEFFREY F & HOLLY H  
Co-Owner:  
Mailing Address:  
40 BURNHAM RD  
WINDHAM, NH 03087

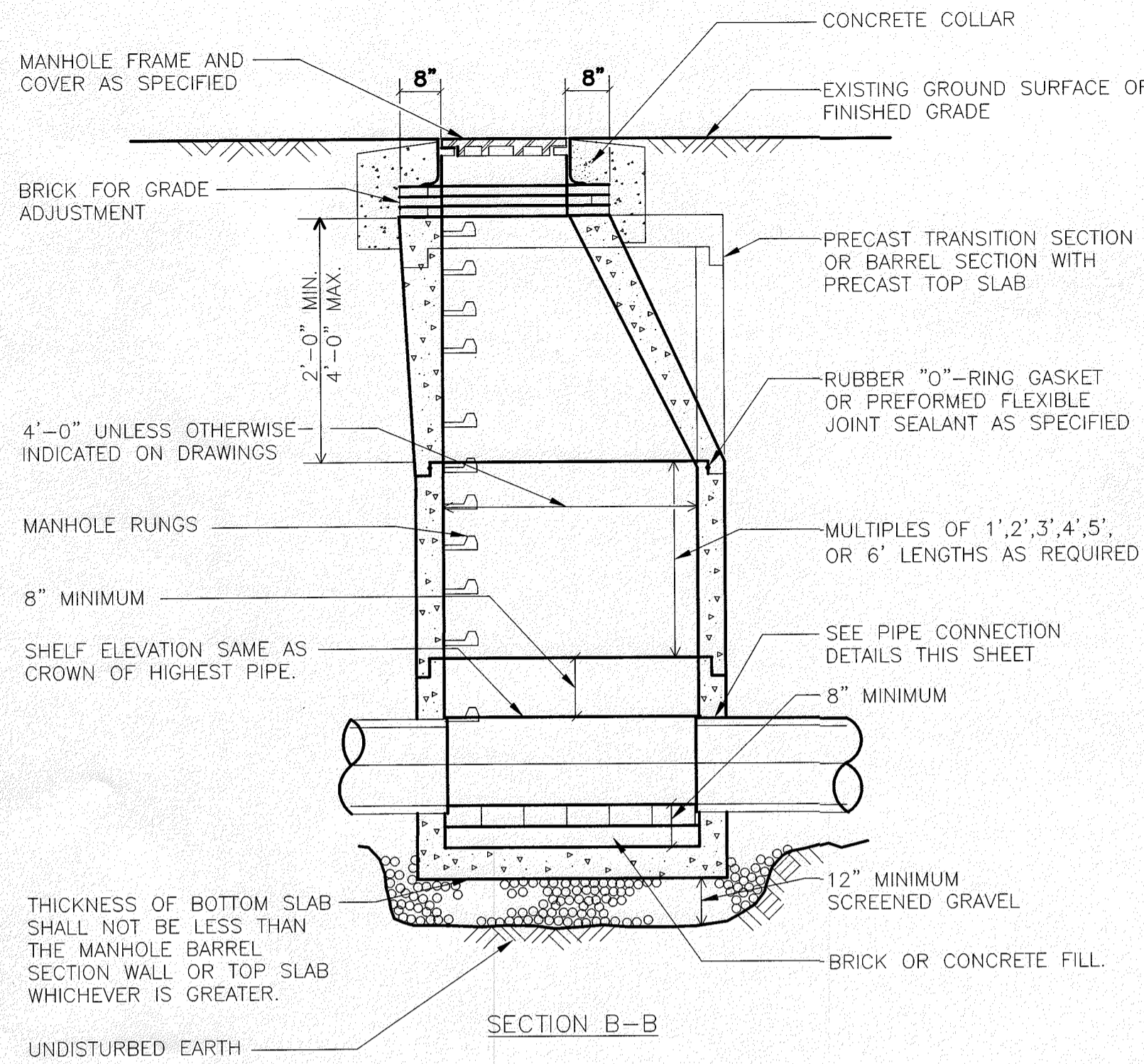
---

Prop ID: 57.B-1-8  
Prop Location: 9 RYDER ST UNIT 8 Arlington, MA  
Owner: GRAZIANO GERALD J  
Co-Owner:  
Mailing Address:  
59 THESDA STREET  
ARLINGTON, MA 02474

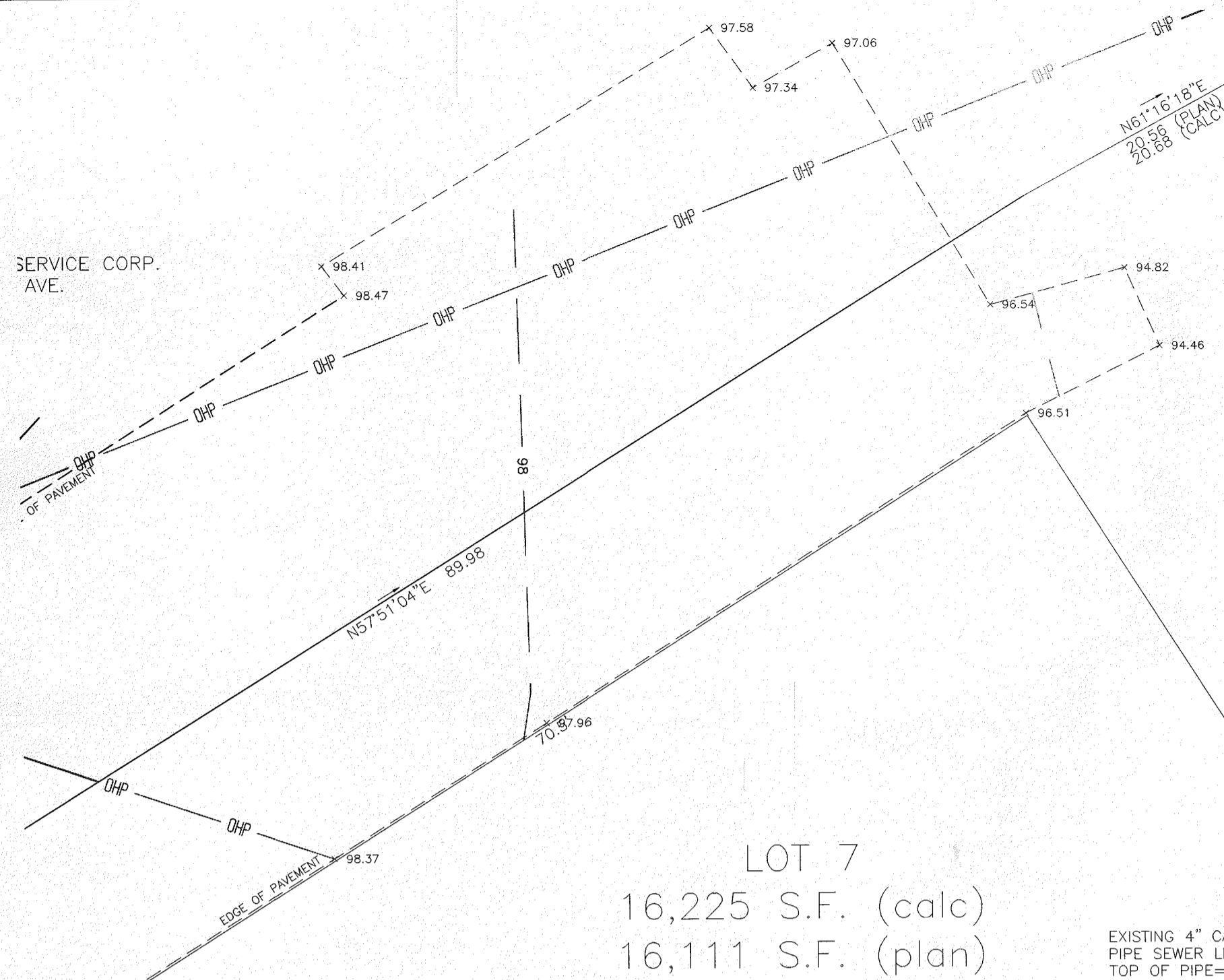
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Prop ID: 57.B-1-9  
Prop Location: 9 RYDER ST UNIT 9 Arlington, MA  
Owner: CHEN JERRY C  
Co-Owner:  
Mailing Address:  
18 DOUGLAS ROAD  
LEXINGTON, MA 02420

---



SECTION B-B  
PRECAST SEWER  
MANHOLE  
(NOT TO SCALE)

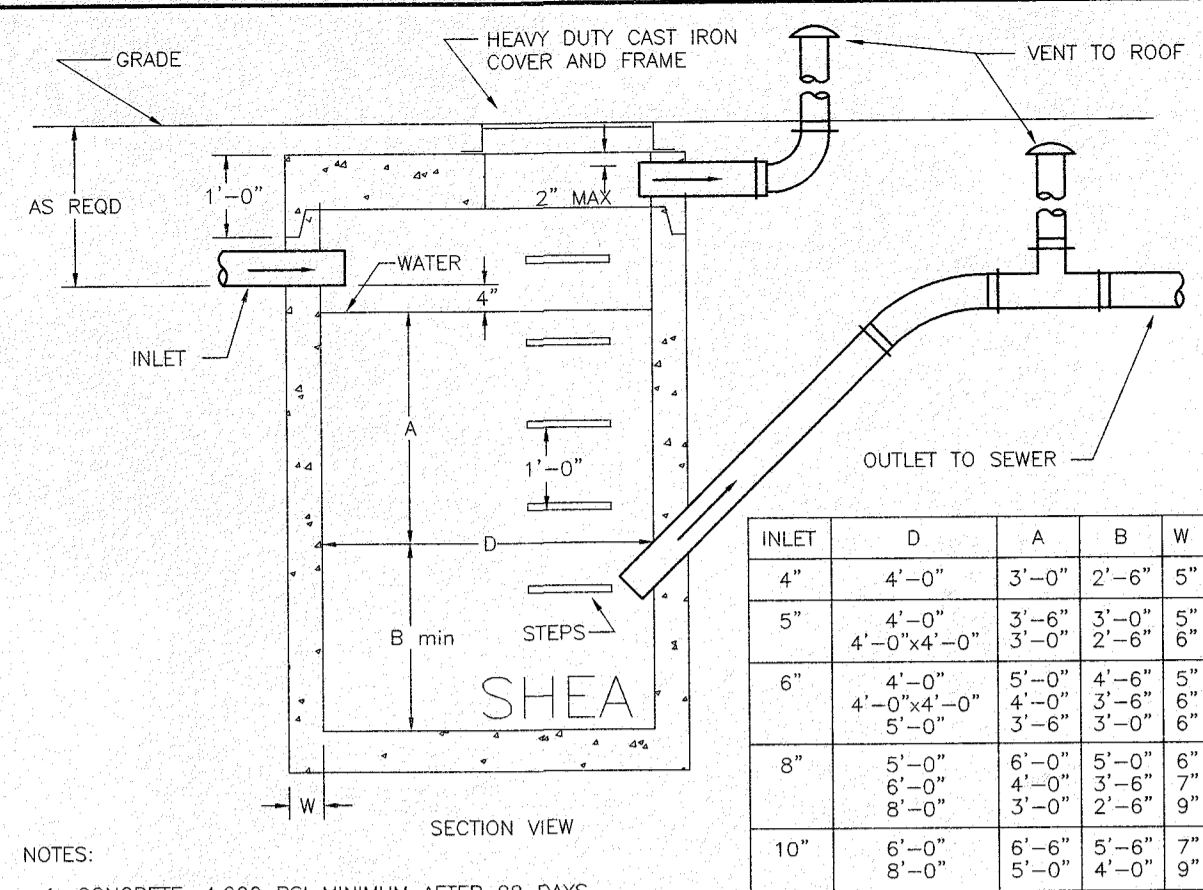


N/F YUKON REALTY LLC  
#1155R MASSACHUSETTS AVE.  
PARCEL ID: 57-2-16A

PROPOSED 4" CAST IRON PIPE FROM FLOOR DRAINS  
4" INV=95.0  
(FLOOR DRAIN DESIGN BY OTHERS)

PROPOSED MDC GAS TRAP  
RIM=97.4  
4" INV=94.9 IN  
4" INV=94.57 OUT

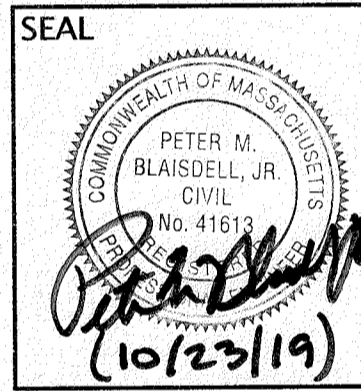
PROPOSED SMH RIM=97.6  
4" INV=94.2±



GAS TRAP  
DETAIL  
(NOT TO SCALE)  
(OIL AND GREASE SEPARATOR)

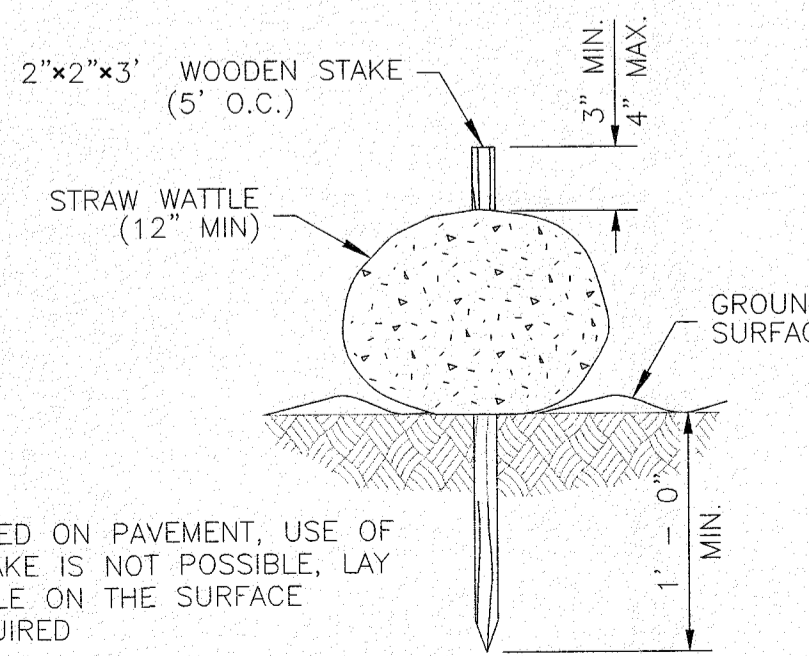
- NOTES:
1. CONCRETE: 4,000 PSI MINIMUM AFTER 28 DAYS.
  2. MANHOLE DESIGN SPECIFICATIONS CONFORM TO LATEST ASTM C478 SPEC FOR "PRECAST REINFORCED CONCRETE MANHOLE SECTIONS".
  3. BUTYL RESIN JOINT CONFORMS TO LATEST ASTM C443 SPEC.
  4. STEEL REINFORCED COPOLYMER POLYPROPYLENE PLASTIC STEP CONFORMS TO LATEST ASTM C478 SPEC.
  5. PIPE NOT SUPPLIED.
  6. CONE SECTION AVAILABLE IN 4'-0" I.D. ONLY.
  7. FOR INLETS LARGER THAN 10" THE DESIGN AND DIMENSION WILL BE DETERMINED FOR EACH PARTICULAR CASE.

MODEL SHOWN MAY BE SUBSTITUTED WITH A SUITABLE EQUIVALENT IF APPROVED BY THE DESIGN ENGINEER.



N/F YUKON REALTY LLC  
#0 LOT RYDER STREET  
PARCEL ID: 57-2-15

- NOTES:
- 1) ALL TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT OF AN ACTUAL FIELD SURVEY CONDUCTED BY WILLIAMS & SPARAGES ON APRIL 16, 2019.
  - 2) ALL ELEVATIONS SHOWN ARE ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
  - 3) PROPOSED SEWER PIPE WITHIN 10 FEET OF THE BUILDING SHALL CONFORM TO THE UNIFORM STATE PLUMBING CODE. TESTING OF SEWER SERVICES SHALL BE IN CONFORMITY WITH THE REQUIREMENTS OF THE TOWN OF ARLINGTON.
  - 4) DESIGN OF PROPOSED FLOOR DRAINS TO BE DETERMINED BY THE MECHANICAL ENGINEER.
  - 5) CONTRACTOR IS RESPONSIBLE FOR CONTACTING DIGSAFE PRIOR TO CONSTRUCTION.
  - 6) THE UTILITIES SHOWN ARE THE RESULT OF COMPLYING AVAILABLE RECORD INFORMATION FROM VARIOUS UTILITY COMPANIES, PUBLIC AGENCIES AND OTHER AVAILABLE SOURCES. NO REPRESENTATION OR WARRANTY IS MADE AS TO THE ACCURACY OF THE LOCATION OF THE SUBSURFACE UTILITIES AND SHOULD BE CONSIDERED APPROXIMATE.
  - 7) ALL UTILITIES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION AND SHALL NOTIFY THE OWNER'S REPRESENTATIVE IF EXISTING CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLAN THAT WILL PREVENT THE PROPOSED WORK FROM BEING COMPLETED AS INTENDED.
  - 8) DURING CONSTRUCTION SHOULD A CONFLICT ARISE BETWEEN AN EXISTING UTILITY AND PROPOSED WORK THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE IN WRITING FOR RESOLUTION OF THE CONFLICT.
  - 9) THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ABUTTING PROPERTIES FROM DAMAGE IN RELATION TO ALL PROPOSED IS SITE WORK.
  - 10) THE PROPOSED WORK SHOWN ON THIS PLAN MAY BE SUBJECT TO CONSERVATION COMMISSION APPROVAL. IT IS THE APPLICANT'S RESPONSIBILITY TO VERIFY WITH THE AGENT PRIOR TO CONSTRUCTION. PROJECT LIES WITHIN 200' OF THE MILL BROOK CONDUIT.
  - 11) EROSION CONTROL SHALL BE INSTALLED AROUND THE PERIMETER PRIOR TO THE START OF EARTH-MOVING ACTIVITIES.
  - 12) THERE IS A 100 YEAR FLOOD ZONE AE ON THE SITE AS SHOWN ON FLOOD INSURANCE RATE MAP 25017C0416E EFFECTIVE DATE JUNE 4, 2010. THE FLOOD ZONE IS CONTAINED WITHIN THE WALLS OF THE MILL BROOK CONDUIT.



STAKED STRAW WATTLE  
(NOT TO SCALE)

SITE PLAN  
#1155R MASSACHUSETTS AVENUE, ARLINGTON, MA 02474

DRAWING: SITE  
SHEET 2 OF 2

0' 4' 8' 16'  
SCALE: 1"=8'

MAY 20, 2019

DATE

NO.

REVISION

PREPARED FOR:

YUKON REALTY LLC  
C/O ROBERT MIRAK  
1115R Massachusetts Avenue  
Arlington, MA 02476  
(617) 840-3505

Designed By: RLW

Drawn By: MRP/PMB

Reviewed By: RLW

Project Manager: RLW

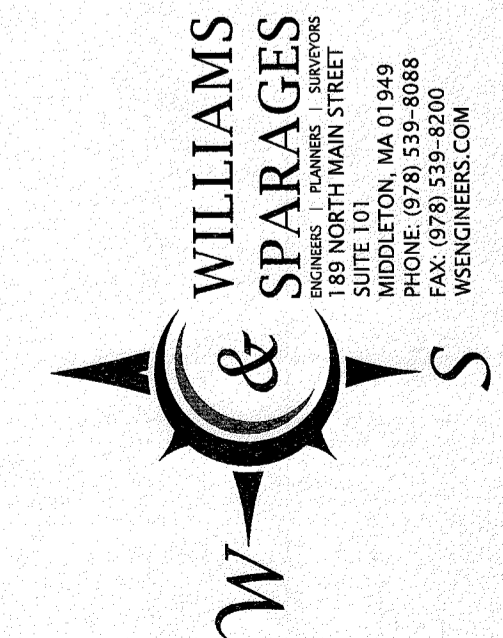
Job File Number: ARLI-0019

Drawing File Folder: ARLI19

☒ Drawing Issued for Review Only

☐ Drawing Issued for Permit

☐ Drawing Issued for Construction



Uticon Inc.

294 Lowell Street

Lexington, MA 02420

[Uticoninc@gmail.com](mailto:Uticoninc@gmail.com)

781-583-8403

RE: 1155R Massachusetts Ave

To whom it may concern,

To install the proposed SMH structure and proposed gas trap. A schedule has been set for three days from start of manhole installation to completion of manhole installation. The interior renovations will include installation of a floor drain and plumbing piping that will connect to the gas trap structure. While doing the proposed work there will be minimal disruption to the vegetation. Along with the minimal disruption, there will be at no time any disturbance and or damage to the tree shown in the photographs. The area of work will be returned to the original state with new top soil and replanting to existing vegetation.

Sincerely,

Joe Hankins

Uticon Inc.

Lexington, MA

6172817584



## Town of Arlington, Massachusetts

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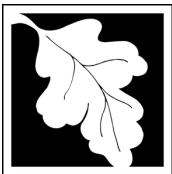
### Notice of Intent

#### Summary:

1167R Mass Ave Notice of Intent  
Continued from 9/19/2019  
MassDEP File # 091-0314

#### ATTACHMENTS:

Type	File Name	Description
□ Notice of Intent	1167R_Mass_Ave_NOI.pdf	1167R Mass Ave NOI
□ Notice of Intent	1167R_Mass_Ave_Revised_Narrative.pdf	1167R Mass Ave NOI Revised Narrative
□ Notice of Intent	1167R_Mass_Ave_Additional_Information_11-7-2019.pdf	1167R Mass Ave NOI Addendum



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

## A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

1167R Massachusetts Avenue

a. Street Address

Arlington

b. City/Town

02476

c. Zip Code

Latitude and Longitude:

42°25'27.1"N

d. Latitude

71°10'24.4"

e. Longitude

f. Assessors Map/Plat Number

057.0 0002 0010.B

g. Parcel /Lot Number

2. Applicant:

Robert

a. First Name

Mirak

b. Last Name

Arlington Center Garage and Service Corporation

c. Organization

438 Massachusetts Avenue

d. Street Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

781-641-2407

h. Phone Number

781-641-3095

i. Fax Number

bobmirak118@yahoo.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

7

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Lawrence

a. First Name

Lessard

b. Last Name

Achieve Renewable Energy LLC

c. Company

100 Cummings Center Suite 211C

d. Street Address

Beverly

e. City/Town

MA

f. State

01915

g. Zip Code

978-338-5548

h. Phone Number

978-338-5549

i. Fax Number

llessard@achieverenewable.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$750

a. Total Fee Paid

\$362.50

b. State Fee Paid

\$387.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

**A. General Information (continued)**

6. General Project Description:

Please see attached narrative.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial          | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input type="checkbox"/> Other                                     |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)
- 10.24 (7) ( c ) 3 - maintenance of artifical water conveyence

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex-South

a. County

19742

c. Book

b. Certificate # (if registered land)

263

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Mill Brook 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☒ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet	350	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
----------------------	-----	-------------------------------	--

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☒ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

### B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here. a. square feet of BVW b. square feet of Salt Marsh	

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

### C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

#### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

07/22/2019

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.1.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

### C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/ mesa/ mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm)).  
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/ mesa/ mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm); the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

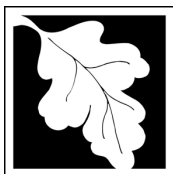
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
1213 Purchase Street – 3rd Floor  
New Bedford, MA 02740-6694  
Email: [DMF.EnvReview-South@state.ma.us](mailto:DMF.EnvReview-South@state.ma.us)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto:DMF.EnvReview-North@state.ma.us)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

### C. Other Applicable Standards and Requirements (cont'd)

**Online Users:**

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. ☐ Yes ☒ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. ☐ Yes ☒ No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. ☐ Yes ☒ No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. ☒ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☐ A portion of the site constitutes redevelopment
3. ☐ Proprietary BMPs are included in the Stormwater Management System.

b. ☐ No. Check why the project is exempt:

1. ☐ Single-family house
2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

### D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 3 – Notice of Intent**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

**D. Additional Information (cont'd)**

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

17014

2. Municipal Check Number

17013

4. State Check Number

Robert

6. Payor name on check: First Name

8/22/19

3. Check date

8/22/19

5. Check date

Mirak

7. Payor name on check: Last Name



## WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

### F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

#### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

#### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

#### Other:

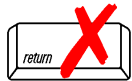
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

1167R Massachusetts Avenue

a. Street Address

Arlington

b. City/Town

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Robert

a. First Name

Mirak

b. Last Name

Arlington Center Garage and Service Corporation

c. Organization

438 Massachusetts Avenue

d. Mailing Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

781-641-2407

h. Phone Number

781-641-3095

i. Fax Number

BobMirak118@yahoo.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Site Work	1	\$500x1.5	\$750

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$750
	a. Total Fee from Step 5
State share of filing Fee:	\$362.50
	b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:	\$387.50
	c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

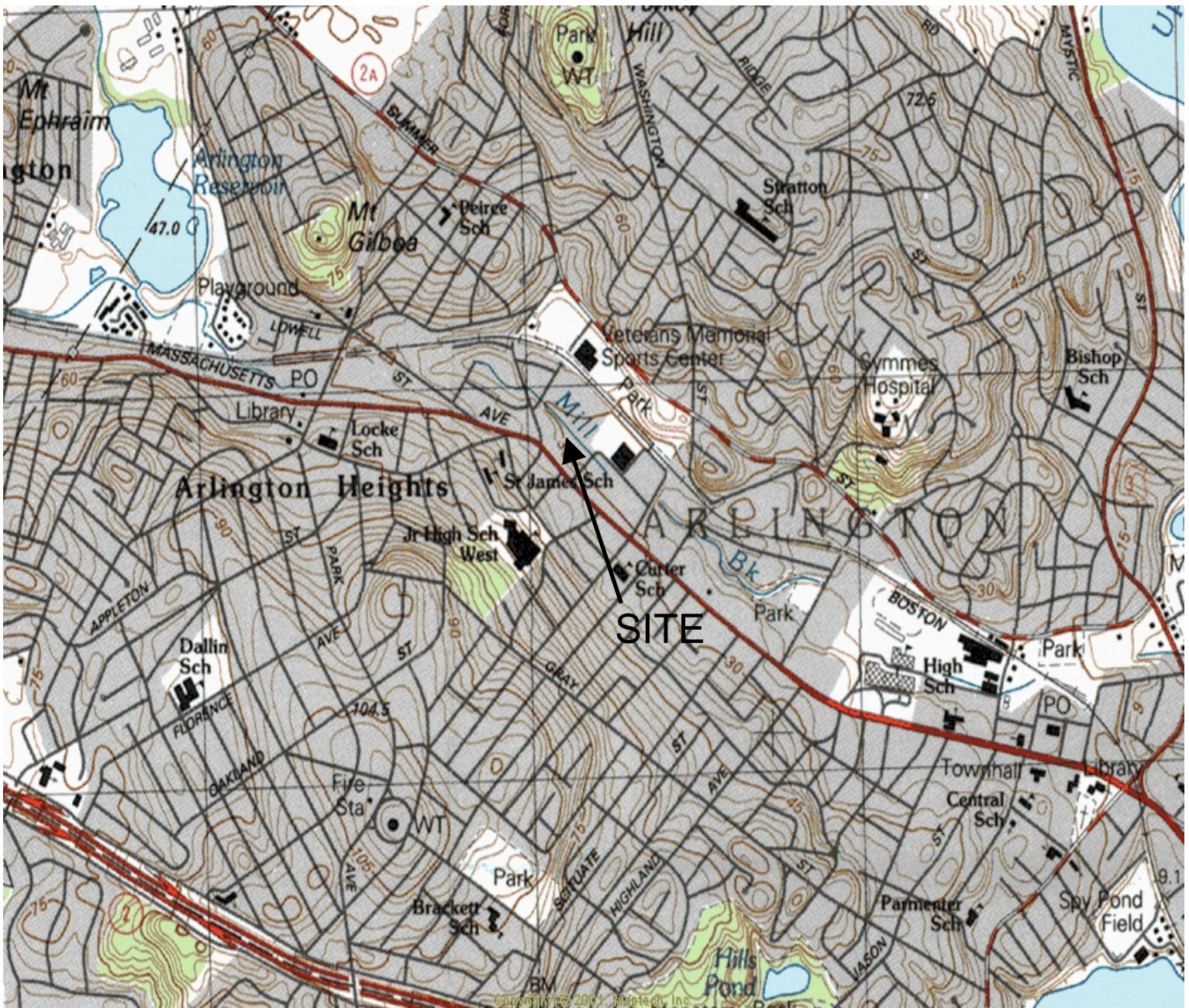
**Notice of Intent**  
**Section A. 6.**  
**General Project Description**

The proposed project includes several limited scopes of work. These are:

1. Installation of an exterior deck. This space will serve the current tenant. The deck will be constructed on tubular concrete footings. This approach limits excavation. The construction of the deck will require the removal of one two-trunk tree. Other existing trees will remain. Please see attached plan showing the location and size of the deck.
2. Construction of a fence along the Mill Brook retaining wall to improve site safety. The fence will be of metal construction and up to four feet tall.
3. Repair of an existing wooden enclosure that supports a potable water line (water conveyance). The existing structure spans the Mill Brook. The new enclosure will be constructed of similar materials.

The project is adjacent to the Mill Brook. We anticipate protecting the Brook with stacked straw wattle during excavation activities. The repair/replacement of the water line enclosure will include the use of netting beneath the work area to avoid materials falling into the Brook. The water line may be over 100 years old. As such, the nature of its construction is unknown and the methods necessary for access will be developed during the project.

The proposed project does not have significant impact relative to Section 31 of the Arlington Regulations for Wetlands Protection which addresses Climate Change Resilience. There are no substantive changes in grade, flood water storage or vegetation proposed. As such, there is no adverse impact on climate change resilience anticipated. From a wider perspective the Applicant has made significant efforts to reduce carbon emissions at this property. The building is completely heated and cooled by a geothermal heat pump system. The geothermal system replaced an antiquated fuel oil fired steam system. Additionally, a portion of the building electrical consumption is offset by a solar PV array on the roof of the building.



## Figure 1: Site Locus

1167 Massachusetts Ave  
Arlington, MA  
Project #: 2292



### Achieve Renewable Energy LLC.

Geothermal HVAC, Solar PV, Solar Hotwater  
100 Cummings Center Suite 211C  
Beverly, MA 01925  
Tel 978-338-5548 Fax 978-338-5549

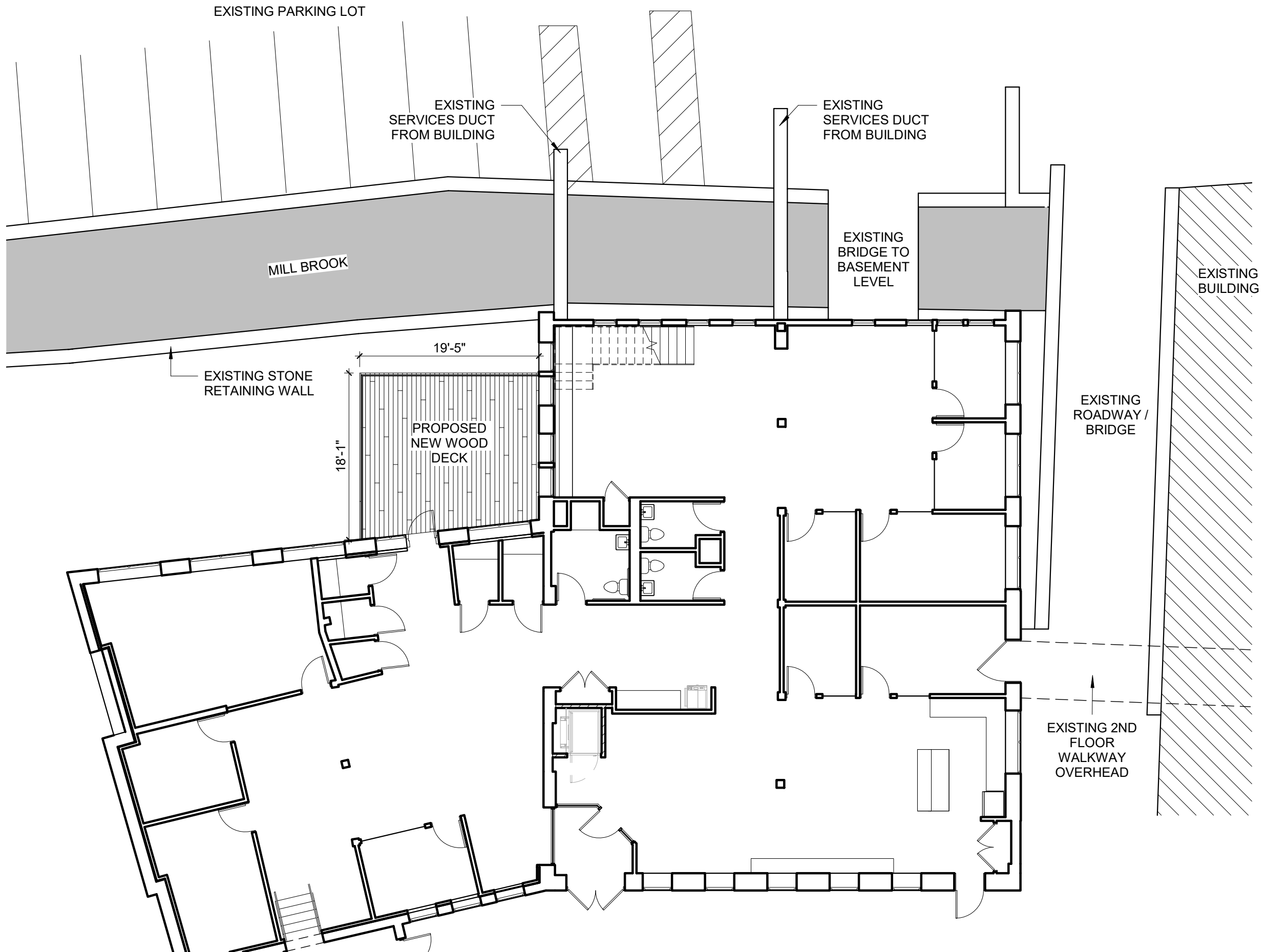
Source: USGS Boston North Quadrangle  
MAP: 42071-D1-TM-025

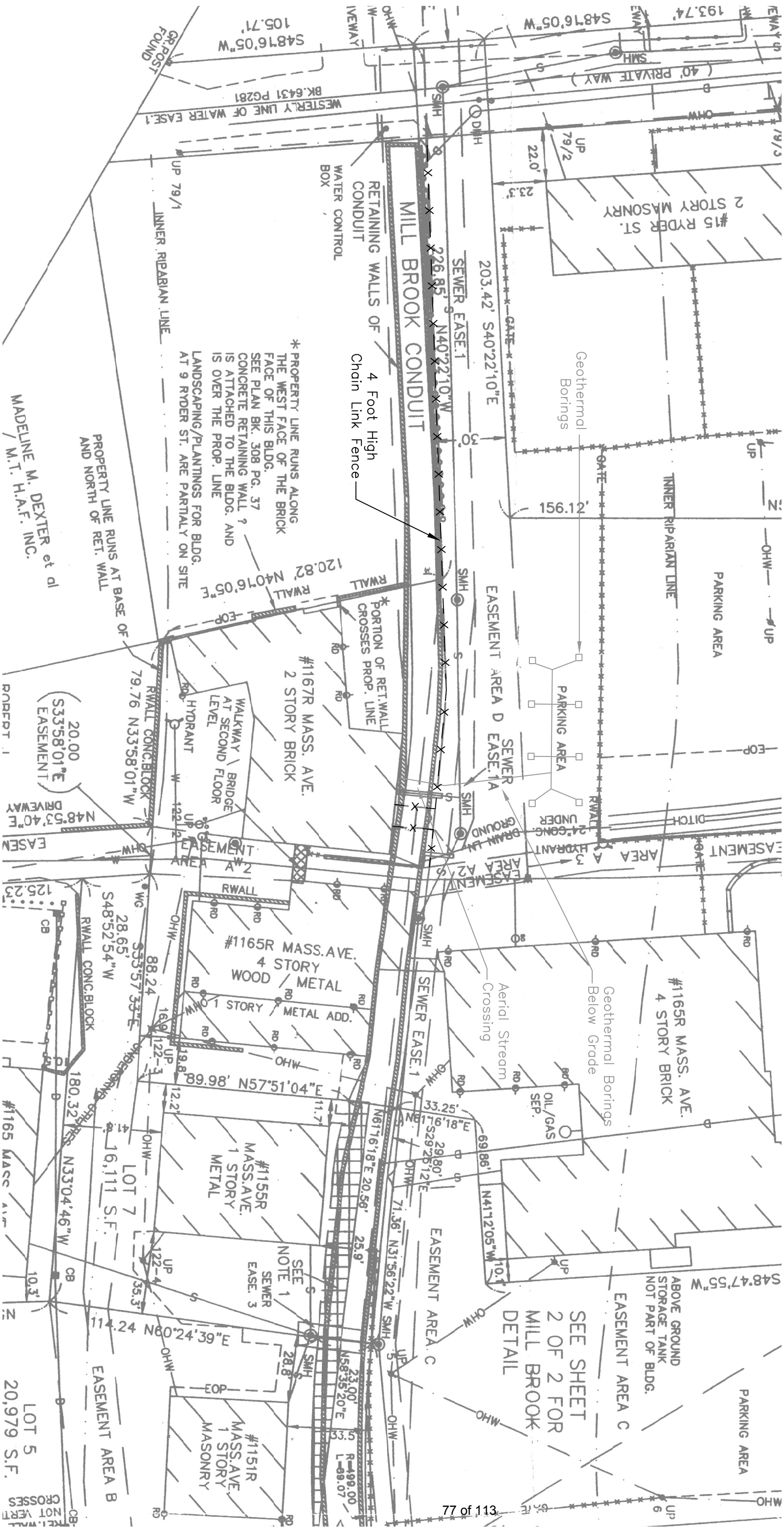
Scale: 1:25,000

Created: 1985

Revised: none

Digital Data Supplied by MapTech, Inc., Greenland, NH





100 CUMMINGS CENTER (SUITE 211C) BEVERLY, MA, 01915  
TELEPHONE: 978-338-5548 FAX: 978-338-5549

FIGURE 4: FENCING

PROJECT No. 2292	CLIENT: Mirak Properties
SITE ADDRESS: 1167R Massachusetts Avenue, Arlington, MA	
SCALE: 1"=40'	DRAWN BY: VTM
	UPDATED: NONE
	DATE: 8-20-2015

NOTES:

1. THIS SITE PLAN PREPARED FROM "ALTA/ACSM LAND TITLE SURVEY IN ARLINGTON, MA" DATED JANUARY 21, 2003 BY RIM ENGINEERING CO., INC.
2. ALL LOCATIONS ON THIS FIGURE ARE APPROXIMATE.

LEGEND:

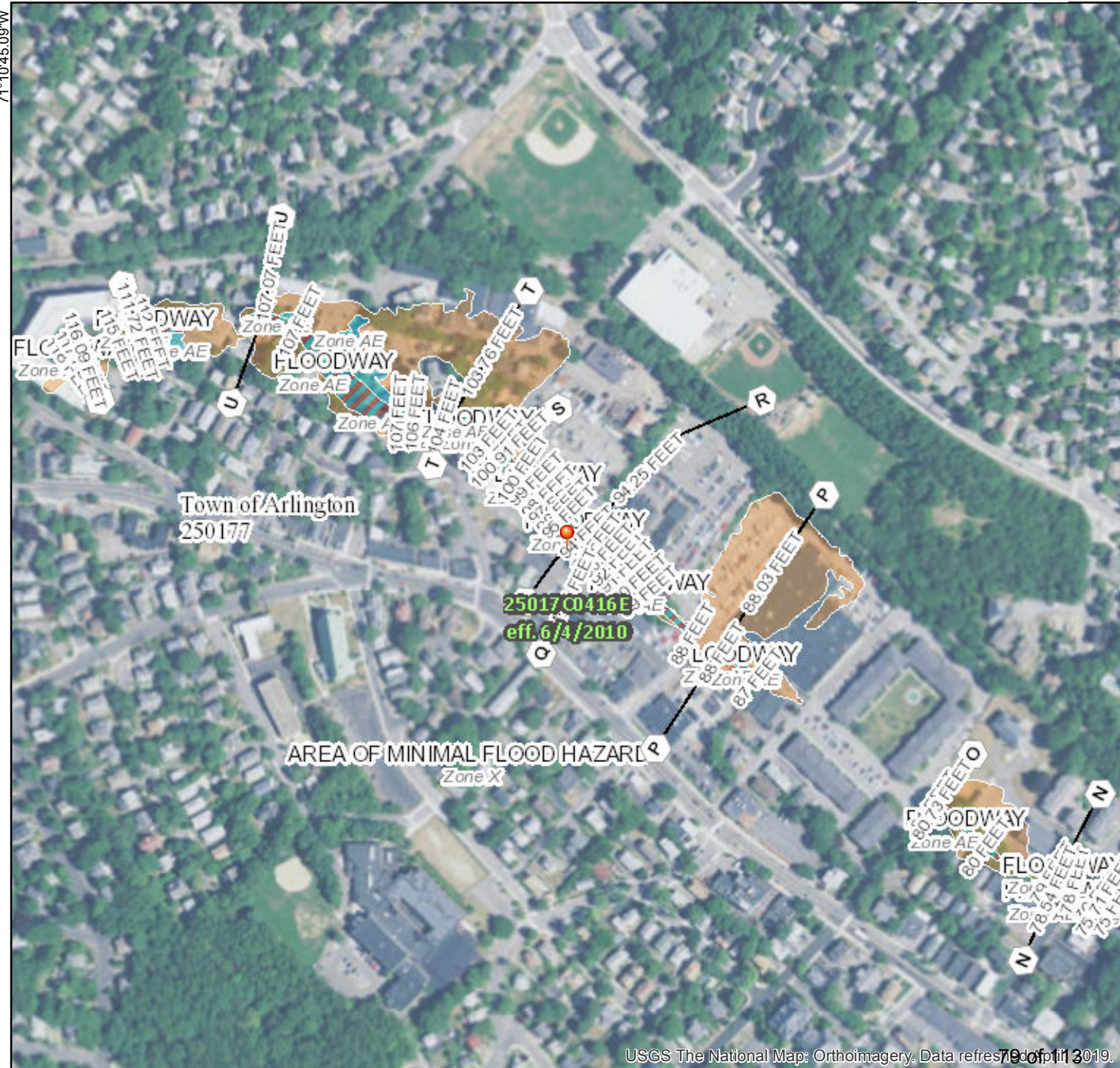


Water Supply Enclosure to be  
Repaired/Replaced

# National Flood Hazard Layer FIRMette



42°25'39.04"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/16/2019 at 9:46:49 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

USGS The National Map: Orthoimagery. Data refreshed on 11/13/2019.

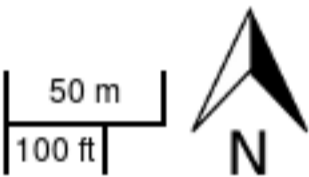
0 250 500 1,000 1,500 2,000 Feet 1:6,000

42°25'12.48"N

71°10'7.64"W

1167R Massachusetts Avenue - Estimated Habitat of Rare Wildlife

- Major MassDOT Routes
- Interstate Highways
  - US Roads
  - State
- Massachusetts Towns
- 
- NHESP Estimated Habitats of Rare Wildlife
- 
- NHESP Priority Habitats of Rare Species
- -



**Notice of Intent**  
**Section A.6.**  
**General Project Description**

The proposed project includes several limited scopes of work. These are:

1. Installation of an exterior deck. This space will serve the current tenant. The deck will be constructed on tubular concrete footings. This approach limits excavation. All trees will remain. Please see attached plan showing the location and size of deck.
2. Construction of a fence along the Mill Brook retaining wall to improve site safety. The fence will be of metal construction and up to four feet tall.
3. Repair of an existing wooden enclosure that supports a potable water line (water conveyance). The existing structure spans Mill Brook. The new enclosure will be constructed of similar materials.

The project is adjacent to the Mill Brook. We anticipate protecting the Brook with stacked straw wattle during excavation activities. The repair/replacement of the water line enclosure will include the use of netting beneath the work area to avoid materials falling into the Brook. The water line may be over 100 years old. As such, the nature of its construction is unknown and the methods necessary for access will be developed during the project.

The proposed project does not have significant impact relative to Section 31 of the Arlington Regulations for Wetlands Protection Which addresses Climate Change Resilience. There are no substantive changes in grade, flood water storage or vegetation proposed. As such, there is no adverse impact on climate change resilience anticipated. From a wider perspective the Applicant has made significant efforts to reduce carbon emissions at this property. The building is completely heated and cooled by a geothermal heat pump system. The geothermal system replaced an antiquated fuel oil fired steam system. Additionally, a portion of the building's electrical consumption is offset by a solar PV array on the roof of the building.

**EcoTec, Inc.**  
**ENVIRONMENTAL CONSULTING SERVICES**  
102 Grove Street  
Worcester, MA 01605-2629  
508-752-9666 – Fax: 508-752-9494

November 1, 2019

Emily Sullivan  
Environmental Planner & Conservation Agent  
Arlington Conservation Commission  
730 Massachusetts Ave  
Arlington, MA 02476

via email: [esullivan@town.arlington.ma.us](mailto:esullivan@town.arlington.ma.us)

Re: 1167-R Massachusetts Avenue

Subject: Supplemental Notice of Intent Materials

Dear Ms. Sullivan and Commission Members:

EcoTec Inc. has been retained to provide supplemental information in support of the Notice of Intent (“NOI”) materials filed for the 1167-R Mass Ave. property. The following details have been developed by Paul J. McManus, PWS of EcoTec, the project engineer, and the property owner/ applicant.

Revised deck plan:

A revised deck plan dated 10-30-2019 by Foley Buhl Roberts & Associates, Inc., David P. Martin, P.E. is enclosed. The revised plan includes provisions for preservation of the Norway maple at that location. Access to the proposed work area will be through the existing building and possibly from the nearby paved parking lot. Personnel and supplies will be transported over the concrete-lined brook on foot over a temporary plank bridge placed on the concrete walls, or by use of an aerial lift such as the one in the example below:



As noted in the NOI materials, the deck is proposed to be supported on sonno-tube supports. Straw wattles (minimum 6-inch diameter) will be staked in place in close contact to the ground surface prior to any soil disturbance. The small volume of excavated soil generated during the

November 1, 2019

Re: 1167-R Massachusetts Avenue - Supplemental NOI Materials

Page 2 of 5

installation of the sonno-tubes will be immediately placed into buckets or wheelbarrows and removed from the site for reuse off site.

Reconstruction of the utility box – construction methodology:

The utility (water line) box proposed to be reconstructed spans the concrete-lined channel that contains the brook:



It is proposed to reconstruct the protective wooden box in place, using similar materials and standard carpentry techniques. The area will be accessed by workers on foot, with no alteration to the brook. Access and work will not occur during high flow periods. Prior to removal of the existing structure, a protective netting will be installed below the existing wooden box, by suspending from the overhead structure and/or temporary screws in the building wall. The netting will have a 1/8-inch or smaller mesh size and be manufactured for the purpose of containing construction debris. A photo and specification of a sample net is attached. After the net is installed securely under the existing/ proposed utility box, the box will be dismantled with hand tools, and the materials removed from the work area by hand. A temporary plank bridge may be placed on the vertical walls bounding the brook to aid construction workers. All materials removed will be reused and recycled if possible or disposed in an appropriate manner. Immediately following removal of the existing protective box, a new protective wooden box will be constructed of approximately the same dimensions in the same location. Most cutting of materials will occur within the nearby parking lot, with pieces hand carried to the work area. The work area will be swept and cleaned of any debris at the close of each work day. Following completion of the work, the netting will be picked clean in place, with any captured materials removed by hand in buckets, and the netting carefully removed to prevent spillage of any remaining debris.

Proposed Fence:

As described in the NOI, it is proposed to install a chain link fence on the landward (north) side of the concrete wall which contains the brook flows, to prevent pedestrians from falling over the wall into the brook. The fence installation work will occur entirely within the existing parking lot. The work will consist of the creation of post holes utilizing hand tools and a mechanical

November 1, 2019

Re: 1167-R Massachusetts Avenue - Supplemental NOI Materials

Page 3 of 5

auger mounted on a small tractor. Posts will be secured in the holes with concrete. All excavated soils will be collected for removal and reuse off site. The work area will be swept clean at the end of each work day, and any waste materials collected for reuse or proper disposal, as necessary.

Proposed Planting Plan:

The area where the deck is proposed consist of a largely isolated earthen patch surrounded by building on two sides. The area has a very sparse understory and a canopy dominated by Norway maple (*Acer platanoides*). Gary Spence, the property manager, reports that no vegetation maintenance occurs in this area, and that the sparse existing growth is due to other causes. Norway maples have been described as being allelopathic (producing compounds that retard the growth of other plants), although there is some disagreement about whether allelopathy or the dense shade and extensive shallow rooting associated with this species are responsible for the typical associated sparse understory. At this site, shading from the surrounding building combined with the canopy closure allows little sunlight to penetrate from the northern exposure.

**Proposed Planting Area**



In order to promote revegetation of the area, especially along the bank of the brook, it is proposed to plant nine (9) clusters of shade tolerant ferns. Alternating clusters of the selected species consisting of three 1-gallon containers of native ferns are proposed (each cluster to consist of 3 containers of the same species). The species proposed were selected due to their ability to grow in shady conditions and tendency to spread and provide broad cover. Within each cluster, 1-gallon containers will be planted 2-feet on center, with the clusters planted approximately 6-feet on center over the approximately 70-foot wide area. Proposed fern species and numbers are listed in Table 1, below.

November 1, 2019

Re: 1167-R Massachusetts Avenue - Supplemental NOI Materials

Page 4 of 5

**Table 1: Proposed Plantings**

Species (descriptions from New England Wetland Plants)	Wetland Status	Size	Number
<b>Dennstaedtia punctilobula</b> <b>(Hay-Scented Fern)</b> Common woodland fern. Lacy texture, similar in appearance to New York Fern. Forms large colonies.	UPL	1-gal	9
<b>Polystichum acrostichoides</b> <b>(Christmas Fern)</b> A robust, leathery fern that forms clumps and stays green year-round. Easily established in cool, moist well-drained soils under shade.	FACU-	#1	9
<b>Thelypteris novaboracensis</b> <b>(New York Fern)</b> Spreads rapidly from shallow, black roots to form a dense ground cover. Lacy fronds from 1-2 ft.	FAC	#1	9

Please note that the planting proposed is within an area with difficult growing conditions, and that success of the proposed plantings may be negatively impacted by conditions beyond the control of the property owner.

I hope that this information is helpful to the Commission. Please contact me if you have any questions concerning this or other matters.

Sincerely,



Paul J. McManus, LSP, PWS  
President

Enclosures

- Netting specification
- Deck plan (rev 10/30/2019)

c: Applicant

November 1, 2019

Re: 1167-R Massachusetts Avenue - Supplemental NOI Materials

Page 5 of 5

Sample specification for proposed netting:

## Roc-Bloc 2K Debris Net with WS70 1/8" Debris Liner - 10' x 15'



SKU: ROCBLOC2K-1015

### Net Sizes:

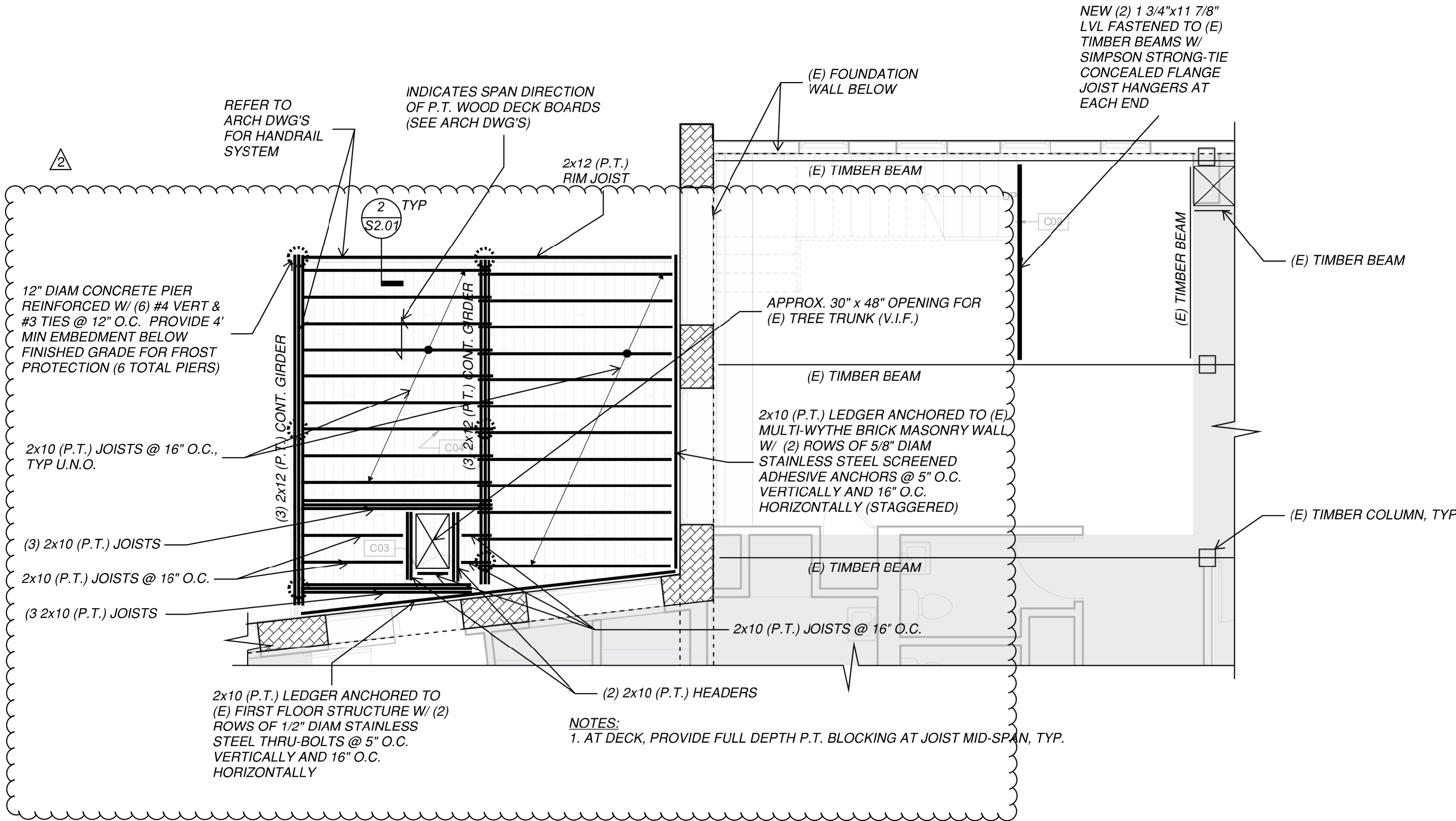
10'x15'	10'x20'	15'x15'	15'x20'	15'x30'
15'x40'	20'x20'	20'x25'	20'x30'	20'x40'
25'x50'	30'x40'			

Specifications	Description
Length:	10'
Width:	15'
Product Weight:	10
Load Capacity:	2,000 lbs.
Material:	Polypropylene
Net Tenacity:	High
Shipping And Returns:	This item cannot be returned due to safety risks associated with used materials.
Debris Liner Size:	1/8"
Mesh Size:	2"
Net Size:	10'x15'

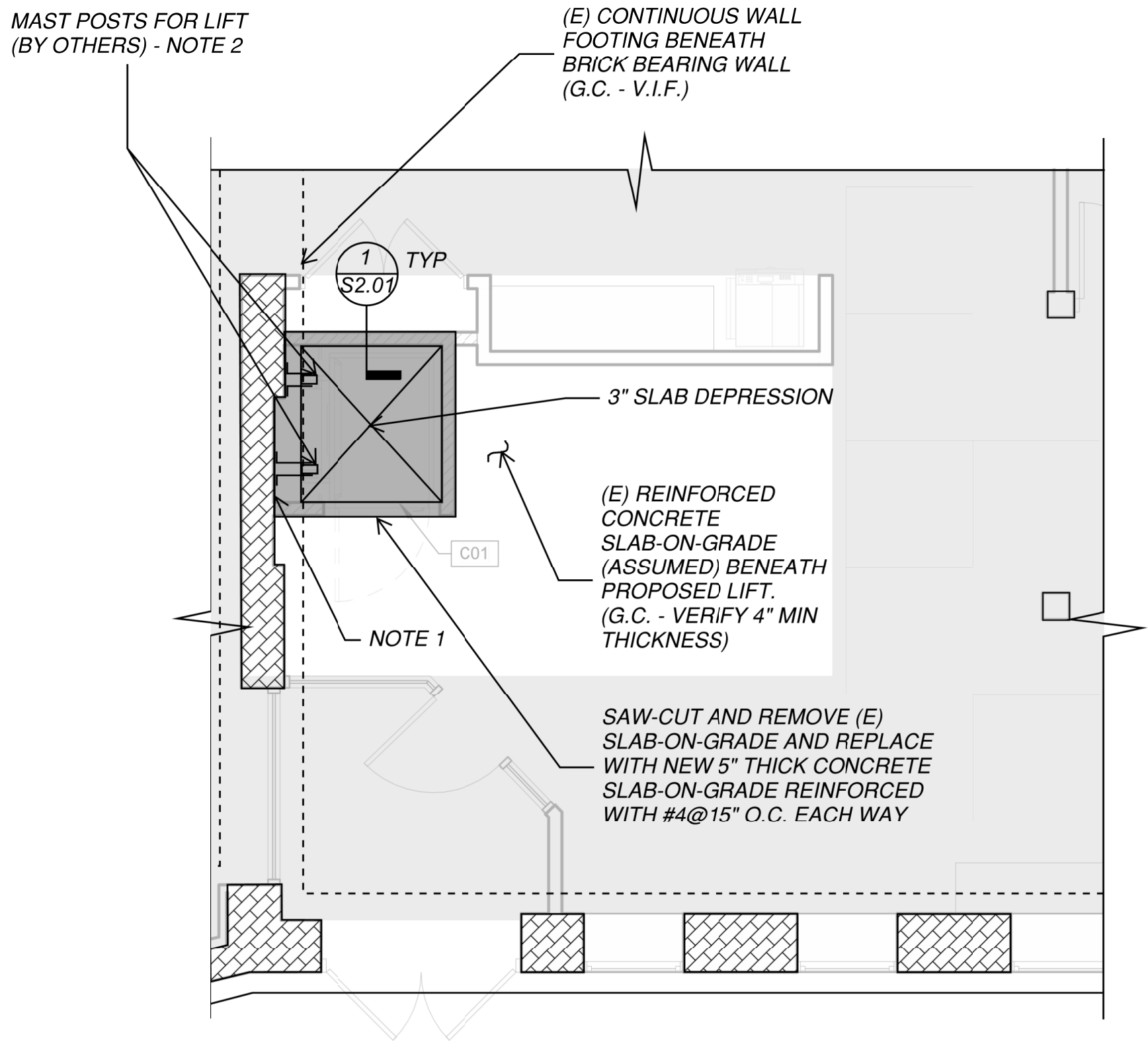
RocBloc™ construction debris net from InCord provides complete debris containment with a combination of a 2-1/2" structural net and an attached fine mesh fabric debris liner. This all-in-one solution is designed for protecting public areas and pedestrians from construction debris, as well as catching smaller items such as dust and dropped tools.

Nets can be linked together, wrapped, or suspended, depending on your specific needs. Also available in single or stacked configurations. Please call our Sales team to discuss all customizable features.

Complies with OSHA regulations for debris net installations and meets CPAI-84, Section 6, Tent Walls and Tops. Also meets conformity standard ANSI A10.37 for Debris Net Systems for Construction and Demolition.

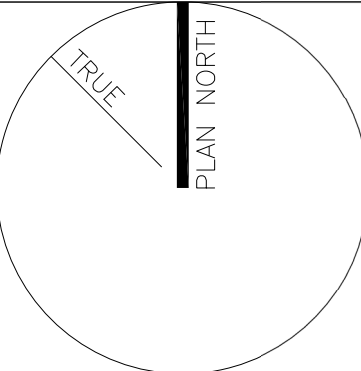


1 NEW DECK & NEW STAIR SUPPORT 1ST FLOOR FRAMING PART PLAN  
SCALE: 1/4" = 1'-0"



NOTES:  
1. ANCHOR TOP OF (E) MULTI-WYTHE 1ST FLOOR BRICK BEARING WALL TO (E) 2ND FLOOR WOOD-FRAMED FLOOR DIAPHRAGM PER DETAIL ON S2.01.  
2. MAST POSTS ARE TO BE ANCHORED TO (E) BRICK BEARING WALL AT LOCATIONS SPECIFIED BY LIFT MANUFACTURER. BRACKETS BETWEEN MAST POSTS AND (E) BRICK BEARING WALL ARE TO BE EITHER: 1) 5/16" THICK STEEL BENT PLATES, OR 2) ENGINEERED BRACKETS PROVIDED BY LIFT MANUFACTURER. TWO 5/8" DIAMETER (MIN) POWERS AC100+ GOLD (OR APPROVED EQUAL) SLEEVED ADHESIVE ANCHORS SHALL BE USED TO FASTEN EACH BRACKET TO (E) BRICK WALL. ANCHORS SHALL BE SPACED A MINIMUM OF 8" O.C.

2 NEW LIFT SUPPORT 1ST FLOOR PART PLAN  
SCALE: 1/4" = 1'-0"



# ANALOGUE STUDIO

**WORKBAR**  
**ARLINGTON 2FL EXP.**  
1167 MASSACHUSETTS AVE., ARLINGTON, MA 02476

DELTA	DESCRIPTION	DATE
2	A.S.I. #3	2019-10-30
1	CONSTRUCTION DOCUMENTS	2019-09-20
		2019-08-07

## 1ST FLOOR FRAMING PART PLANS

SCALE: AS NOTED  
DATE: 2019-08-07  
DRAWN BY: DPM  
CHECKED BY: DPM

S1.01



## Town of Arlington, Massachusetts

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### Notice of Intent

#### Summary:

1389 Mass Ave Notice of Intent  
MassDEP File # 091-0316

#### ATTACHMENTS:

Type	File Name	Description
▢ Notice of Intent	1389_Mass_Ave_NOI.pdf	1389 Mass Ave NOI

October 21, 2019

Emily Sullivan, Conservation Administrator  
Arlington Conservation Commission  
Town Hall  
730 Massachusetts Avenue  
Arlington, MA 02476

**Re: Notice of Intent Application (WPA Form 3)  
Soil Excavation for RTN 3-28768  
MBTA Bus Station  
1389 Massachusetts Avenue  
Arlington, Massachusetts**

Dear Ms. Sullivan:

Attached is a NOI application for the above-referenced property. ATC Group Services LLC (ATC), on behalf of the Massachusetts Bay Transportation Authority (MBTA), plans to excavate up to 150 cubic yards of petroleum-contaminated soil as part of the remedial solution for the above referenced location (the "Site") in accordance with the Phase IV Remedy Implementation Plan (RIP) prepared as a Massachusetts Contingency Plan (MCP) submittal for Massachusetts Department of Environmental Protection (MassDEP) Release Tracking Number (RTN) 3-28768.

ATC is a national environmental consulting company, with a local office in Woburn, Massachusetts experienced in managing various environmental consulting services, including contamination assessments and MCP response actions. ATC will coordinate and oversee a contractor performing the proposed soil excavation work. The contractor has not yet been selected.

The excavation location is on the west side of the small building at the Site, within the large asphalt-paved parking lot/driveway with granite curbs that constitutes the bus station, and is located within the Riverfront Area of Mill Brook, which is located beyond the edge of the parking lot to the north of the property. A line showing the 100-foot distance from the Mill Brook bank is shown on the attached Site Plan. The closest edge of the proposed soil excavation is located approximately 80 feet from the edge of Mill Brook, and approximately 75 feet from the high water line of Mill Brook. ATC estimates that asphalt disturbance for soil excavation will not be closer than 70 feet from the high water line of Mill Brook. All work will take place in the currently paved driveway/parking lot that has granite curbs fully bounding the perimeter, including along the property edge closest to Mill Brook. A photograph of the Site, with the proposed excavation location visible in the foreground in front of the Site building, and trees along Mill Brook visible in the background beyond the parking lot, is shown on the next page.



Prior to soil excavation work, the contractor will prepare the Site and establish stormwater controls, including:

- Procure permits including trench permit and digsafes markout.
- Install stormwater controls in the four stormwater catch basins in the parking lot (see attached Site Plan for catch basin locations). Based on Site observations and historical drawings for the Site, these catch basins drain to oil/water separators nearby, as shown on the Site Plan, which then discharge to Mill Brook.
- Install temporary chain-link fencing around work areas and storage (“lay-down”) areas.
- Install straw wattles at the perimeter of each work area and storage area.

The contractor will then proceed with the soil excavation work, with full-time oversight from ATC, to consist of the following general steps:

- Remove the asphalt pavement over the planned soil excavation area (approximately 800 square feet – see Site Plan).
- Abate two lengths of underground non-friable asbestos-transite conduit that run through the excavation area.
- Excavate and stockpile clean soil from the surface to approximately four feet below grade. The clean soil will be temporarily stockpiled on polyethylene sheeting in designated work/storage areas (see Site Plan), and covered with polyethylene sheeting at least 6 mils in thickness, weighted down to keep it from blowing off, until it is re-used as backfill in the excavation.
- Excavate and load for immediate shipment off-site petroleum-contaminated soil from approximately four to nine feet below grade. All handling and management of soil will be conducted in accordance with the MCP.
- Dewater the excavation as necessary to allow completion of soil excavation, with a pump and hoses used to convey extracted groundwater to a large storage tank. The water will later be pumped from the tank and shipped off-site for disposal.
- Backfill excavation with the stockpiled clean soil and clean imported material.
- Repave excavated area with asphalt and replace damaged/removed sidewalk and granite curbing next to the Site building.
- Remove stormwater controls and fencing.



ATC estimates that the soil excavation will take approximately 1-2 weeks, with the Site preparation and restoration work taking an extra week each.

The project will have little effect on the physical features of the Site; the excavation area will remain a paved driveway/parking area at this public transit facility. The project will provide for an improved environment through the removal of a portion of the petroleum contamination present at the Site. This will enhance climate resiliency by removing contaminants that could potentially migrate in the future under changing climate conditions.

Although the MBTA is exempt from local bylaws and WPA filing fees, in the spirit of cooperation the MBTA pays the city/town portion of the WPA filing fee. This NOI is only being filed and considered under the WPA.

Please let me know if you have any questions or comments.

Sincerely,  
**ATC GROUP SERVICES LLC**

A handwritten signature in black ink, appearing to read 'Daniel P. White', with a stylized flourish at the end.

Daniel P. White, PG  
Senior Project Manager

Attachments: MassDEP WPA Form 3 (Notice of Intent)  
USGS Topographic Quadrangle Map  
Site Plan  
Floodplain Map  
Certified List of Abutters (Emily Sullivan only)  
Abutters Notification  
Abutters Affidavit of Service  
Legal Notice Charge Authorization

cc: Debra Darby, MBTA  
Holly Palmgren, MBTA  
DEP – NERO, Wilmington, MA  
Arlington Conservation Commissioners

File: NOI Cover Letter.docx



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

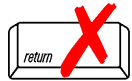
Document Transaction Number

Arlington

City/Town

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

1389 Massachusetts Avenue

a. Street Address

Arlington

b. City/Town

02476

c. Zip Code

Latitude and Longitude:

42.424696

d. Latitude

-71.184773

e. Longitude

Map 60 Block 1

f. Assessors Map/Plat Number

11

g. Parcel /Lot Number

2. Applicant:

Holly

a. First Name

Palmgren

b. Last Name

MBTA

c. Organization

10 Park Plaza, Room 6720

d. Street Address

Boston

e. City/Town

MA

f. State

02116

g. Zip Code

617-222-1580

h. Phone Number

i. Fax Number

HPalmgren@MBTA.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Dan

a. First Name

White

b. Last Name

ATC Group Services LLC

c. Company

10 State Street Suite 100

d. Street Address

Woburn

e. City/Town

MA

f. State

1801

g. Zip Code

781-404-1432

h. Phone Number

781-932-6211

i. Fax Number

daniel.white@atcgs.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$262.50 - MBTA exempt

a. Total Fee Paid

\$0 (exempt)

b. State Fee Paid

\$262.50 (exempt)

c. City/Town Fee Paid



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

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**A. General Information (continued)**

6. General Project Description:

Excavate up to 150 cubic yards of petroleum-contaminated soil from a former underground storage tank location adjacent to a small on-site building. Area is currently a paved bus driveway and parking area. Backfill excavation and repave area. See narrative in letter for more details.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input type="checkbox"/> Residential Subdivision       |
| 3. <input type="checkbox"/> Commercial/Industrial                     | 4. <input type="checkbox"/> Dock/Pier                     |
| 5. <input type="checkbox"/> Utilities                                 | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation                |
| 9. <input checked="" type="checkbox"/> Other                          |   |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)  
Excavation and remediation of contaminated soil is covered under 10.53(3)(q)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

NA - Title shown with Acts of Legislature

c. Book

b. Certificate # (if registered land)

Acts of 1949, Chapter 572

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Mill Brook 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☒ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: ~3,000  
square feet

4. Proposed alteration of the Riverfront Area:

<u>~3,000</u>	<u>~800</u>	<u>~2,200</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☒ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement		
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.		
a. square feet of BVW _____	b. square feet of Salt Marsh _____	

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings \_\_\_\_\_

b. number of replacement stream crossings \_\_\_\_\_



**Massachusetts Department of Environmental Protection**  
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**WPA Form 3 – Notice of Intent**

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**C. Other Applicable Standards and Requirements**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program**  
**Division of Fisheries and Wildlife**  
**1 Rabbit Hill Road**  
**Westborough, MA 01581**

3/14/19 on-line

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**C. Other Applicable Standards and Requirements (cont'd)**

- (c) ☐ MESA filing fee (fee information available at [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm)).  
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm); the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
  2. ☐ Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_
  3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☒ Not applicable – project is in inland resource area only      b. ☐ Yes    ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [DMF.EnvReview-South@state.ma.us](mailto:DMF.EnvReview-South@state.ma.us)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto:DMF.EnvReview-North@state.ma.us)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2. ☐ A portion of the site constitutes redevelopment
  3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☐ Single-family house
  2. ☐ Emergency road repair
  3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

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City/Town

**D. Additional Information (cont'd)**

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Site Plan, MBTA Bus Station, 1389 Massachusetts Avenue, Arlington, Massachusetts

a. Plan Title

ATC Group Services LLC

NA

b. Prepared By

c. Signed and Stamped by

4/1/19

1" = 30'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

**E. Fees**

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1173

10/11/19

2. Municipal Check Number

3. Check date

Exempt

4. State Check Number

5. Check date

ATC Group Services

6. Payor name on check: First Name

7. Payor name on check: Last Name



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Arlington

City/Town

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

<p><i>Holly Palmer</i></p> <p>1. Signature of Applicant</p>	<p><i>10/17/19</i></p> <p>2. Date</p>
<p>3. Signature of Property Owner (if different)</p>	<p>4. Date</p>
<p>5. Signature of Representative (if any)</p>	<p>6. Date</p>

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

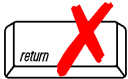
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

1389 Massachusetts Avenue

a. Street Address

Arlington

b. City/Town

c. Check number

d. Fee amount

### 2. Applicant Mailing Address:

Holly

a. First Name

Palmgren

b. Last Name

Massachusetts Bay Transportation Authority

c. Organization

10 Park Plaza, Suite 6720

d. Mailing Address

Boston

e. City/Town

MA

f. State

02116

g. Zip Code

617-222-1580

h. Phone Number

i. Fax Number

hpalmgren@mbta.com

j. Email Address

### 3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Soil excavation, backfill, repave	1	\$500	\$500
Step 5/Total Project Fee:			\$500

**Step 6/Fee Payments:**

Total Project Fee:	\$500 (exempt) a. Total Fee from Step 5
State share of filing Fee:	\$237.50 (exempt) b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:	\$262.50 (exempt) c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

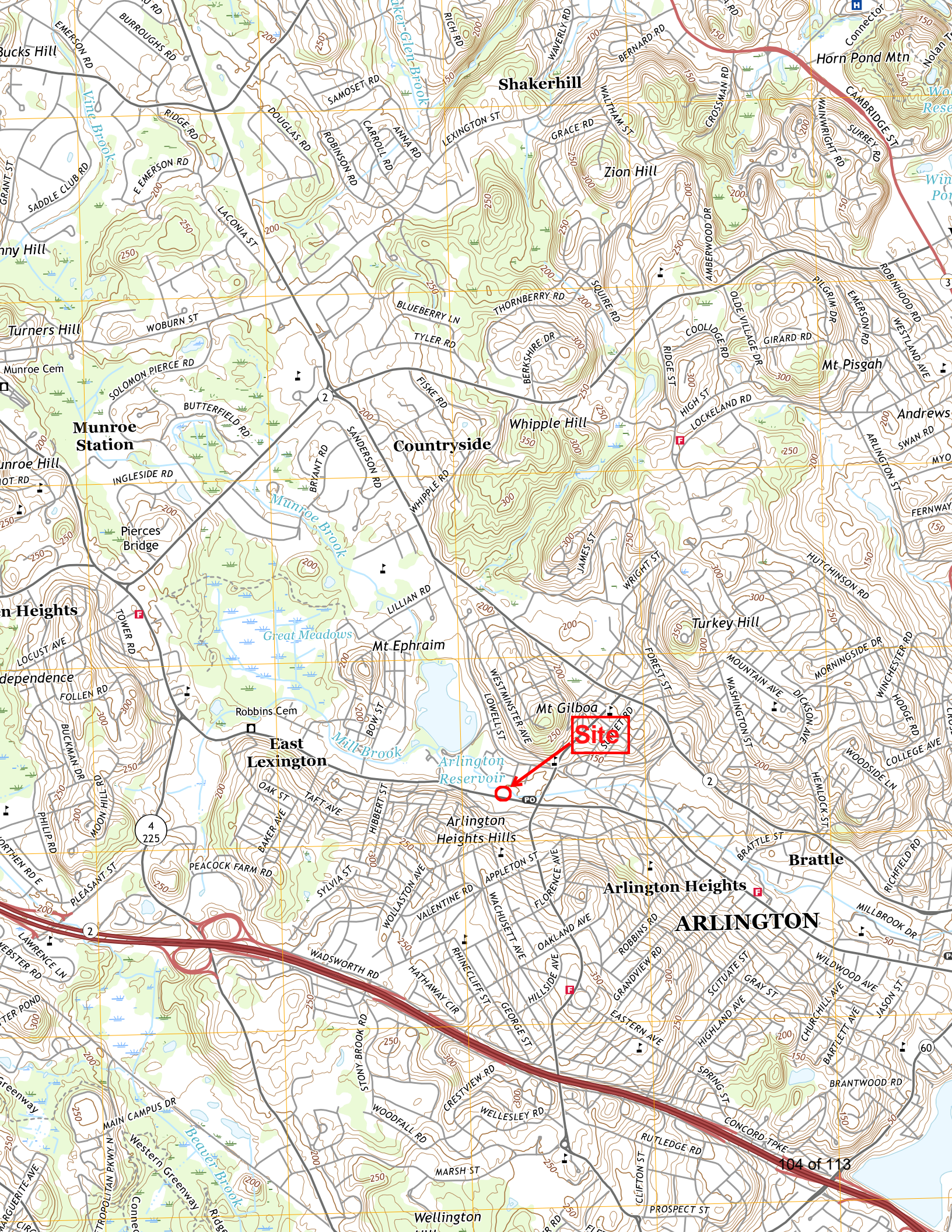
**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

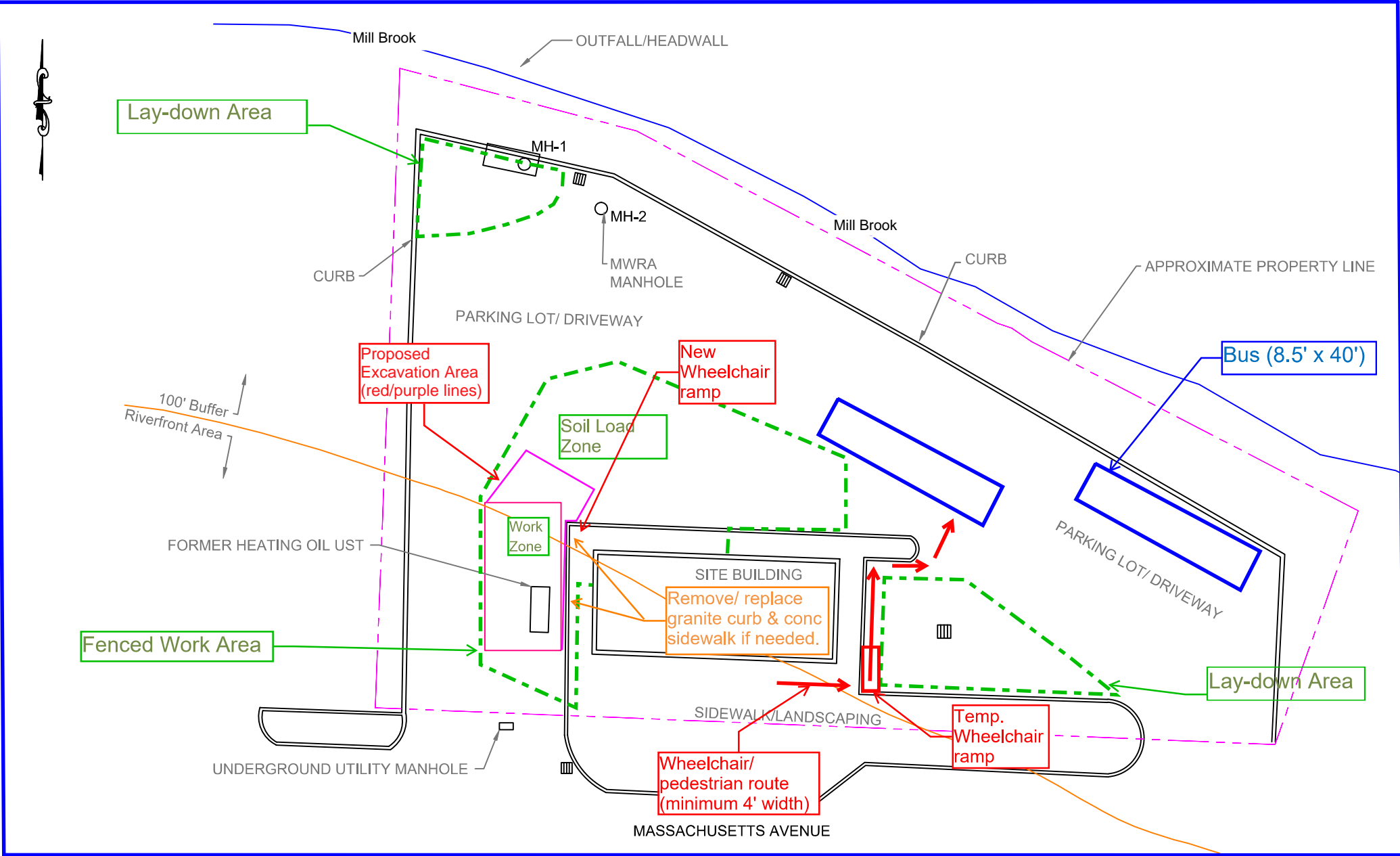
## FORMER MTA PROPERTIES/LEGISLATIVE CHAIN OF TITLE

The MBTA was created from the Metropolitan Transit Authority (MTA) in 1964. The properties that were owned by the MTA came into the MBTA via a legislative chain of title. Many of these properties were originally acquired by the MTA from the Boston Elevated Railway Co. Rather than recording documents at the registry to show the change in ownership, title is shown with Acts of the Legislature.


The Legislative chain of title for former MTA properties includes the following documents:

- Acts of 1894, Chapter 548 - An Act to incorporate the Boston Elevated Railway Co. and to promote rapid transit in the City of Boston and vicinity.
- Acts of 1947, Chapter 544 - An Act providing for the creation of the MTA and the acquisition and operation by it of the entire assets, property and franchises of the Boston Elevated Railway Company.
- Acts of 1949, Chapter 572 - An Act amending and revising the Acts creating the  
→ MTA and the Boston Metropolitan District.
- Acts of 1964, Chapter 563 - An Act abolishing the MTA, establishing the MBTA and providing for the acquisition of maintenance of mass transportation facilities and services which shall be coordinated with highway systems and urban development plans throughout the Commonwealth.





<b>LEGEND:</b>	
	Approximate Property Line
	Storm Sewer Line
	100' Buffer from Riverfront Area
	Manhole
	Catchbasin
	Proposed Excavation Area

	NAME/ADDRESS:		<div>MBTA Bus Station 1389 Massachusetts Avenue Arlington, Massachusetts 02476</div>		105 of 113
	DRAWING TITLE:		Site Plan		
			<div><div>0Approximate Feet30</div><div></div></div>		
			PROJECT #:		05-224834
			CHECKED BY:		JH
			DRAWN BY:		BB/AR
			DATE:		4/1/19
		FIGURE NO.		2	





Office of the  
Board of Assessors  
Robbins Memorial Town Hall  
Arlington, MA 02476  
(781) 316-3050  
Assessors@town.arlington.ma.us

### **Abutters List**

Date: October 11, 2019

Subject Property Address: 1389 MASS AVE Arlington, MA  
Subject Property ID: 60-1-11

Search Distance: 100 Feet- Conservation

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters and owners of land within 100 feet of the property line, of subject property.

*Karen L. Feeley*  
*Robert E. Greeley*  
*[Signature]*

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**Board of Assessors**

**Abutters List**

Date: October 11, 2019

Subject Property Address: 1389 MASS AVE Arlington, MA  
Subject Property ID: 60-1-11

Search Distance: 100 Feet

-----  
Prop ID: 170-1-1  
Prop Location: 1386 MASS AVE Arlington, MA  
Owner: B&G CORSET COMPANY LLC  
Co-Owner:  
Mailing Address:  
1386 MASS AVE  
ARLINGTON, MA 02476  
-----

Prop ID: 170-1-3  
Prop Location: 1378 MASS AVE Arlington, MA  
Owner: MONTANA VENTURES LLC  
Co-Owner:  
Mailing Address:  
1378 MASS AVE  
ARLINGTON, MA 02474  
-----

Prop ID: 170-1-4  
Prop Location: 1370-1372 MASS AVE Arlington, MA  
Owner: 1370 MASS AVE INC  
Co-Owner: C/O SACCO RICHARD  
Mailing Address:  
5 VIA ALICIA  
SANTA BARBARA, CA 93108  
-----

Prop ID: 173-2-1  
Prop Location: 1398 MASS AVE Arlington, MA  
Owner: 1398 MASSACHUSETTS AVE. LLC  
Co-Owner: C/O BIERDRIER DEVELOPMENT  
Mailing Address:  
430 BEDFORD STREET  
LEXINGTON, MA 02420  
-----

Prop ID: 173-2-2  
Prop Location: 1406 MASS AVE Arlington, MA  
Owner: 1406 MASS AVE LLC  
Co-Owner:  
Mailing Address:  
420 BEDFORD ST  
LEXINGTON, MA 02420  
-----

Prop ID: 60-1-10  
Prop Location: 1367-1381 MASS AVE Arlington, MA  
Owner: B.F. ARLINGTON PROPERTIES LLC  
Co-Owner:  
Mailing Address:  
220 MASS AVE  
ARLINGTON, MA 02474  
-----

-----  
Prop ID: 60-1-11  
Prop Location: 1389 MASS AVE Arlington, MA  
Owner: MASS BAY TRANSIT AUTHORITY  
Co-Owner:  
Mailing Address:  
500 ARBORWAY  
JAMAICA PLAIN, MA 02130  
-----

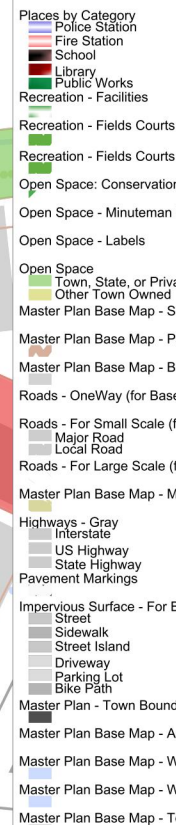
Prop ID: 60-1-11.A  
Prop Location: 1395 MASS AVE Arlington, MA  
Owner: SUNRISE ASSISTED LIVING INC  
Co-Owner: C/O ALTUS GROUP US INC #04051  
Mailing Address:  
5450 EAST HIGH ST  
SUITE 220  
PHOENIX, AZ 85054  
-----

Prop ID: 60-1-2  
Prop Location: 41-45 PARK AVE Arlington, MA  
Owner: ARLINGTON COAL & LUMBER CO  
Co-Owner:  
Mailing Address:  
41 PARK AVE  
ARLINGTON, MA 02476  
-----

Prop ID: 60-2-3  
Prop Location: 10 RESERVOIR RD Arlington, MA  
Owner: MARKELZ JOHN W III &  
Co-Owner: MARKELZ MAUREEN A  
Mailing Address:  
10 RESERVOIR RD  
ARLINGTON, MA 02474  
-----

Prop ID: 60-2-4  
Prop Location: 6 RESERVOIR RD Arlington, MA  
Owner: ZAGANJORI SAMIR & KIMBERLY W  
Co-Owner:  
Mailing Address:  
6 RESERVOIR RD  
ARLINGTON, MA 02474  
-----

Prop ID: 60-2-5  
Prop Location: 2 RESERVOIR RD Arlington, MA  
Owner: BERGGREN DAVID E  
Co-Owner:  
Mailing Address:  
PO BOX 750112  
ARLINGTON, MA 02475  
-----



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

**Notification to Abutters Under the  
Massachusetts Wetlands Protection Act  
And Arlington Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a public hearing in the second floor conference room of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, on Thursday, November 7, 2019, at 7:30 P.M. in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington By-Laws Article 8, By-Law for Wetland Protection, for a Notice of Intent from the Massachusetts Bay Transportation Authority (MBTA) for excavation of petroleum-contaminated soil at MBTA Bus Station, 1389 Massachusetts Avenue, Arlington, MA, within 200 feet of a stream, on Assessor's Property Map #60, Lot #11.

A copy of the application and accompanying plans are available for inspection Mon. - Thurs. 8am-4pm and Fri. 8am-noon at the Conservation Commission office, first floor of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, MA 02476.

For more information call Dan White of ATC Group Services LLC (consultant for the MBTA) at 781-404-1432 or the Arlington Conservation Commission at 781-316-3012, or the DEP Northeast Regional Office, 978-694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

**AFFIDAVIT OF SERVICE**

(Return to Conservation Commission)

I, Daniel White, being duly sworn, do hereby state as follows: on October 21, 2019, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

Excavation of petroleum-contaminated soil at MBTA Bus Station, 1389 Massachusetts Avenue, Arlington, MA.

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 21st day of October, 2019.

A handwritten signature in black ink, appearing to read "Daniel P. White", with a stylized flourish at the end.

Daniel P. White

Name


**LEGAL NOTICE CHARGE AUTHORIZATION**

DATE: October 21, 2019

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on October 31, 2019 for a public hearing with the Arlington Conservation Commission to review a project at the following location: 1389 Massachusetts Avenue, Arlington, MA

Thank you.

Signed: 

Send bill to: Daniel White, Senior Project Manager  
ATC Group Services LLC  
10 State Street Suite 100  
Woburn, MA 01801  
781-404-1432  
[daniel.white@atcgs.com](mailto:daniel.white@atcgs.com)



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## Town of Arlington, Massachusetts

### **Working Session**

#### **Summary:**

Arlington High School Rebuild Project Working Session